

HALDIMAND-NORFOLK STUDY

THRESHOLD OF CHANGE 2-LOCAL GOVERNMENT

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**Threshold of Change:
(2) Local Government**

A Report to the Treasurer of
Ontario on Local Government
Reform in the Haldimand-Norfolk
Area

Haldimand-Norfolk Study
1972

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Economics and Intergovernmental
Affairs
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Toronto 181, Ontario

1972

September, 1972

Honourable Charles S. MacNaughton
Treasurer of Ontario

Dear Mr. Treasurer:

I am pleased to present to you my recommendations on the restructuring of local government in the Counties of Haldimand and Norfolk. This completes the task assigned to me in March 1969 by your predecessor, the Honourable W. Darcy McKeough, of which the first part was the preparation of a plan for land use and development.

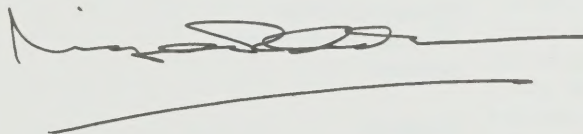
While I take full responsibility for these recommendations, this Report could not have been prepared without the assistance and advice of my colleagues of the Haldimand-Norfolk Study and others in the Ministry of Treasury, Economics and Intergovernmental Affairs. I wish to express my special gratitude to Mrs. Eva Samery, Miss Jane Fleming and the Assistant Director, Mr. E. F. Grove, all of the Study group, and to Miss Karin Lenman of the Ministry. Each of them has made his or her own indispensable contribution to the Report. Particular thanks are also due for the help of Mr. Roger Warner of the Ministry and of Mrs. Georgina Paikin and Mr. Douglas Foster of the Study.

I wish to thank, too, the members of the Haldimand-Norfolk Joint Study Committee for their guidance, cooperation and friendship over the past three and a half years. They have made more of a contribution to the Study than perhaps they realize.

Finally, I would like also to offer very sincere thanks to all those who expressed their views in written submissions. Some of their contributions have been acknowledged in the text of the Report, but to refer to each one specifically would have been impracticable. I can only assure the authors that every submission was carefully considered, even if I could not always accept the opinions expressed.

None of these people, however, is accountable for any of the shortcomings of this Report.

Respectfully submitted,



*N. H. Richardson,
Study Director.*

Haldimand-Norfolk Study

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The first phase of the Haldimand-Norfolk Study was concerned with planning the future physical development of the two counties in anticipation of a more than fourfold increase in population by the end of the present century resulting from industrial development in the Nanticoke Area. The purpose of the second phase of the Study was to examine the present system of local government in the area and to recommend to the Treasurer of Ontario whatever changes in that system are felt necessary to cope with radically and rapidly changing conditions

A Note on Terminology

Two words, "local" and "regional", have presented a good deal of difficulty in the preparation of this report. Each is unavoidably used in more than one sense. In most cases, it is hoped, the meaning will be made clear by the context, but the following may assist in case of confusion.

"Local government" is almost synonymous with "municipal government", but has a slightly broader connotation; it may, for example, include boards of education. A "local municipality" means a town, village or township in the present municipal system, or a "lower-tier" or "area" municipality in the system proposed. "Local" is also used in a general sense, as distinct from "regional", "provincial" or "national".

"Regional" (and "region") generally applies to a "regional municipality", but may also apply to an "economic region" or to some special-purpose "region" such as that served by a "regional" water supply system. It is also used in relation to larger geographic "regions" such as southwestern Ontario. Where there seems to be a possibility of confusion, the use of the word in a particular context is explained.

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Fold-Out Map in Pocket

Summary of Major Recommendations

This is a list of selected recommendations in condensed and generalized form. For details, other recommendations, and suggestions, see text.

Chapter 8

1) The Counties of Haldimand and Norfolk should be combined into a single two-tier regional municipality comprising six local municipalities.

2) This arrangement should be regarded as an interim measure and should again be reviewed when the new regional municipality has been in existence for ten years, and possibly earlier.

Chapter 9

3) The boundaries of the regional municipality should in general follow the present external boundaries of the two counties, with certain alterations and qualifications relating to western Norfolk, northern Norfolk, and the Six Nations Indian Reserve, and excluding the Caledonia area.

4) The six local municipalities, subject to various boundary adjustments, should consist of:

a) the Townships of Houghton, Middleton, and North and South Walsingham, the Village of Port Rowan;

b) the Townships of Charlotteville and Windham and the Town of Delhi;

c) the Townships of Townsend, Walpole and Woodhouse, the Towns of Port Dover and Waterford, the Village of Jarvis;

d) the Town of Simcoe and surrounding area;

e) the Townships of Oneida, Seneca, North and South Cayuga, and Rainham, the Villages of Cayuga and Hagersville;

f) the Townships of Canborough, Dunn, Moulton, Sherbrooke, the Town of Dunnville.

Chapter 10

5) The principal responsibilities of the regional council should include taxation, tax billing, capital borrowing, planning, piped services, main roads, garbage disposal, police, health and social services, housing, conservation, building and related by-laws and standards, and public information.

6) The principal responsibilities of the local councils should include election administration, electricity supply, street cleaning and garbage collection, land drainage, local roads and streets, parking, fire protection, libraries, and control of nuisances.

7) Certain responsibilities should be held by both regional and local councils, notably administration generally, financial planning and budgeting, public transportation, and parks, community and recreation centres, museums and recreation programmes.

Chapter 11

8) The regional council should consist of the mayor and reeve (deputy mayor) of each local municipality, plus additional representation according to the population of the local municipality. All members of the regional council should be elected to sit on both the regional council and their local councils.

Chapter 12

9) Special-purpose local boards and commissions should in general be dispensed with as far as possible, and their functions resumed by the municipal councils.

10) "Urban service districts" should be established to enable residents of urban areas to secure new or improved services and to facilitate communications between citizens and councils.

11) Institutional relationships between the proposed new town development corporation and municipal government should be examined by the Provincial Government with a view to general applicability throughout Ontario.

Chapter 13

12) Six chief officers (department heads) should be appointed as soon as possible by the regional council. Collectively they should constitute a Committee of Administration to expedite and coordinate municipal business.

13) To the extent possible and appropriate, the regional administration should be decentralized to facilitate accessibility to the citizen.

14) There should be a regional information service comprising both local offices and a toll-free centralized telephone information service.

Chapter 14

15) As far as possible, regional services should be financed on a service rate rather than a general tax basis, and in general such service rates should be equalized.

16) The Provincial Government should be prepared to make special grants to the regional council for such purposes as the establishment of a regional police force. Provincial-regional cost-sharing will also be needed for the capital costs of new services.

17) The regional council should adopt a long-term capital budget, an official plan, and a public works programme, as soon as possible.

18) The regional council should have exclusive authority over the apportionment of capital borrowing among the municipalities.

Chapter 15

19) The new system of local government should be put into effect as soon as possible, with due allowance for full consideration and comment at the local level.

20) Administrative and financial procedures, practices and organization should be carefully planned by Provincial and municipal staff in cooperation with independent consultants before the regional municipality comes into being.

In a democratic society, government is not a sacred cow. A system of government – at any level – is no more than an institutional and legal device to enable the community to protect itself and to do those things for its members which they cannot effectively do as individuals. When new conditions or new expectations leave the governmental system unable to do its job properly, there should be no hesitation or false sentiment about changing it in whatever ways and to whatever extent may be necessary.

The rapid growth confronting the Haldimand-Norfolk area, however, creates a dilemma. On the other hand, continual modification of municipal government would be impractical because the system would have no chance to settle down and work smoothly; such periodic tinkering would be of doubtful value and perhaps positively harmful. Any new or substantially altered system ought to be designed to be valid and effective, without further basic change, for as long as possible.

On the other hand, if drastic change is needed to produce a form of local government able to manage properly the very different Haldimand-Norfolk area of a generation hence, such a system may be poorly related to the needs of the present and the immediate future.

Thus, this report has to give serious consideration to the desirability of *staged* change in the local government system: some kind of compromise between a minor readjustment that will work for the time being, and a sweeping “once-and-for-all” reorganization.

It is my basic premise, however, that *piecemeal, patchwork change will not do*. The scale and pace of industrial development and population growth, and all that they imply, will not permit it. Governmental needs must be related clearly and realistically to demographic, social, economic and physical facts.

In this respect the Haldimand-Norfolk area differs sharply from other parts of Ontario in which local government reviews have been undertaken. In most of the other areas more or less rapid growth can be expected; but none faces the radical transformation in prospect for Haldimand-Norfolk. This difference in circumstances calls for a rather different approach, or at least a significant difference in emphasis. Where other local government studies have in general tended to ask: “How does the *existing* municipal system in this area need to be altered in the light of present and probable future conditions?”, this study takes as its starting point the more fundamental question: “What is likely to be the *best* system of local government for the Haldimand-Norfolk area?” In other words, the unique circumstances which confront Haldimand-Norfolk greatly diminish (though they do not eliminate) the relevance of the details of the existing municipal arrangements, and compel me to start with a careful consideration of the nature, purposes and functions of local government, and the circumstances (internal and external) in which local government in Haldimand-Norfolk will have to function in the future.

What is local government? Or perhaps better: *why* is local government? What is the justification for its existence? Only the Federal and Provincial levels of government are established by the Canadian constitution; the municipality is merely "the creature of the Province", exercising functions constitutionally those of the Provincial Government but delegated to it according to the Province's sovereign will. Why should the Provincial Government transfer some of its powers to locally elected councils?

In essence, the reasons are two:

First, there are practical considerations applying to the provision of certain kinds of service.¹ Some *must* be provided on a local basis² due to physical and economic factors; water supply and sewerage are good examples. Others are likely to be provided more *effectively* at the local level, such as firefighting or the development of neighbourhood parks. So the provision of certain services by or through local authorities, rather than by the Provincial Government directly, should work better in a purely practical sense for both the Province and the recipients of the services.

But this does not necessarily imply elected local governments. Theoretically at least, the practical considerations could be met (and to some extent are in fact being met) by the decentralization of Provincial administration. This brings us to the second, and in my opinion much the more important, justification for local government: its role as an essential component of a democratic system. This role can hardly be described better than in the words of the Maud Report.³ Substituting the words "provincial" for "national" and "central", "province" for "country", and "Provincial Legislature" for "Parliament", the views of the Maud Commission apply to Ontario as fully as to England where they discuss

"... the need to sustain a viable system of local democracy: that is, a system under which government by the people is a reality. This we take to be of importance at least equal to the importance of securing efficiency in the provision of services. Local government is not to be seen merely as a provider of services. If that were all, it would be right to consider whether some of the services could not be more efficiently provided by other means. The importance of local government lies in the fact that it is the means by which people can provide services for themselves; can take an active and constructive part in the business of government; and can decide for themselves, within the limits of what national policies and local resources allow, what kind of services they want and what kind of environment they prefer. More than this, through their local representatives people throughout the country can, and in practice do, build up the policies which national government adopts – by focussing attention on local problems, by their various ideas of what government should seek to do, by local initiatives and local reactions. Many of the powers and responsibilities which local authorities now possess, many of the methods now in general use, owe their existence to pioneering by individual local authorities. Local government is the only representative political institution in the country outside Parliament; and being, by its nature, in closer touch than Parliament or Ministers can be with local conditions, local needs, local opinions, it is an essential part of the fabric of democratic government. Central government tends, by its nature, to be bureaucratic. It is only by the combination of local representative institutions with the central institutions of Parliament, Ministers and Departments, that a genuine national democracy can be sustained." (Para. 28.)

These two basic roles of local government, as a provider of services and as the vehicle of local democracy, both suggest certain necessary criteria according to which the present system of local government in the Haldimand-Norfolk area, and its possible restructuring, need to be considered. Before discussing these criteria, however, we must look both at the nature and future of the

Study Area itself, and at the general social, political and institutional context into which it will probably have to fit: in short, at the future conditions with which local government will have to cope.

¹In this Report, "services", where not qualified, includes all services which are the responsibility of government or of public or quasi-public agencies.

²"Local" is used here simply to describe any scale substantially less than province-wide.

³*Report of the Royal Commission on Local Government in England*, H.M. Stationery Office, London, 1969; cmnd. 4040.

3.1 Physical, Population and Economic Characteristics

The geographic, demographic and economic circumstances of the Study Area are described quite fully in the Study's two earlier reports, *Towards a Land Use Plan for Haldimand-Norfolk* and *Threshold of Change: (1) Land and Development*. Therefore, they need be discussed only briefly here.

The two counties of Haldimand and Norfolk, together with parts of the surrounding area, are mainly flat or gently rolling farmland, though there is a clearly marked difference between the dairying and mixed farming on the clay soils east of the Haldimand-Norfolk county line, and the tobacco-growing and much more extensive woodlands on the sand plain to the west.

Access from Lake Erie and the Grand River encouraged early settlement, and for ten years in the early nineteenth century the small hamlet of Vittoria in Norfolk was the administrative "capital" of most of southwestern Ontario. Much of the province's early industrial development took place in the area, including iron production, grist and sawmills, and distilleries. But by the end of the nineteenth century the coming of the railways, while stimulating the growth of Brantford, relegated the southern counties to nearly exclusive dependence on agriculture. Today, the only important industries in Haldimand and Norfolk, apart from those based on agriculture, are the Electric Reduction Company of Canada ("ERCO") plant at Port Maitland and the production of building materials in Haldimand. The heavily agriculture-based economy is reflected in small urban communities and a population of which 60 per cent is rural. The largest town in Haldimand and Norfolk, Simcoe, has 11,000 people; the next in size, Dunnville, 5,300. Brantford, with 60,000 people, is the nearest large town.

The main lines of communication, developed in the late nineteenth and in the twentieth century, ran southwest from Toronto to Windsor and Sarnia and around Lake Ontario to Hamilton and St. Catharines-Niagara Falls-Welland, bypassing Haldimand-Norfolk. While such cities as London, Kitchener-Waterloo,

Hamilton and St. Catharines have experienced rapid industrial and population growth, the towns nearer Lake Erie have not. It seems now that this situation is about to change. The emergence of the Nanticoke industrial complex, comprising the Steel Company of Canada's Lake Erie Works, the Stelco Industrial Park, the Ontario Hydro Nanticoke Generating Station and the Texaco of Canada Nanticoke Refinery, together with the Ford assembly plant at Talbotville and the acquisition of a site at Port Burwell by Dominion Foundries and Steel Ltd., suggest that the last quarter of the twentieth century will see a large-scale shift of manufacturing and population to the tranquil farmlands along the Lake Erie shore. It is reasonable also to expect the further development of the already important land transportation links between the Niagara area to the east and London and Windsor to the west.

The Haldimand-Norfolk area, therefore, faces not gradual change, but drastic and rapid transformation. From placid farming counties with a total population in 1971 of only 84,000, less than 34,000 of

them urban,¹ the area will change to become an important component of urban-industrial southwestern Ontario by the end of this century, with more than 320,000 people, over a quarter of a million of them urban.²

¹Counties of Haldimand and Norfolk, 1971. Source: Ontario Municipal Directory, 1972.

²Haldimand-Norfolk Study, *Threshold of Change: (1) Land and Development*, 1971.

Table 1. Municipalities, Haldimand and Norfolk Counties, 1971

County of Haldimand			County of Norfolk		
Municipality	Population	Taxable Assessment (\$'000)	Municipality	Population	Taxable Assessment (\$'000)
<i>Towns</i>			<i>Towns</i>		
Caledonia	3,168	16,841	Delhi	3,770	8,093
Dunnville	5,410	9,199	Port Dover	3,306	3,566
			Simcoe	10,455	22,281
			Waterford	2,427	2,690
<i>Villages</i>			<i>Villages</i>		
Cayuga	1,074	5,063	Port Rowan	852	910
Hagersville	2,195	14,619			
Jarvis	964	6,009			
<i>Townships</i>			<i>Townships</i>		
Canborough	1,277	1,455	Charlotteville	5,805	8,441
N. Cayuga	1,569	2,513	Houghton	2,228	3,018
S. Cayuga	712	625	Middleton	4,058	8,530
Dunn	1,253	2,063	Townsend	5,792	7,467
Moulton	2,763	2,904	N. Walsingham	2,883	6,020
Oneida	1,699	3,319	S. Walsingham	2,346	4,341
Rainham	1,972	3,421	Windham	5,845	10,834
Seneca	2,481	4,073	Woodhouse	3,169	4,137
Sherbrooke	443	2,481			
Walpole	4,141	6,617			
<i>County</i>	31,121	81,202	<i>County</i>	52,936	90,328

Source: 1972 Municipal Directory, Ontario Department of Municipal Affairs.

3.2 The Municipal Structure

The present municipal structure of the area (summed up in Table 1) has not been fundamentally changed since the Baldwin Act of 1849, which established what is still the prevalent municipal system in Ontario. Although the Regional Municipality of Niagara came into existence to the east on January 1, 1970, the boundaries of Haldimand and Norfolk and their neighbouring counties to the north and west have remained unchanged for 120 years. The internal structure of towns, villages and townships, their mode of government and the nature of its authority, are not fundamentally different from what they were 120 years ago when the area was a frontier of colonization.

A multitude of local boards and commissions has, however, come into being over the years in Haldimand-Norfolk—as in the rest of Ontario. Their functions, responsibilities and financial resources are as various as their jurisdictions, including everything from parks boards and fence viewers covering one municipality to conservation authorities and joint planning boards covering several. Police villages governed by boards of trustees also fall within the category of local boards, their powers limited generally to the provision of sidewalks and street lights, and the construction of water, light, heat, power and gas works, etc.

A complete outline of local boards, commissions and police villages is to be found in another HNS publication, *Facts and Figures*. It need only be pointed out here that there are over 30 types of boards and commissions in the Study Area, totalling more than 135 individual authorities. This is a situation that has contributed considerably to the fragmenting of powers at the local level.

The question whether the present local government system has worked well in the past, or whether it works well now, is of only limited relevance. The important question is whether it can work well in the circumstances of the fairly near, and foreseeable, future.

4.1 The Regional Context

The viability and efficacy of any system of local government is not a matter which can be considered exclusively in relation to the internal circumstances of its particular area. It must be related also to its context, that is, to the external or general conditions in which it will have to operate. These can be considered under three headings: functional, policy and social.

The functional context of the Study Area has already been touched on in describing the industrial and urban transformation likely to occur within it. To appreciate the full significance of this change it must be seen in a wider geographical perspective. As already noted, Haldimand-Norfolk has up to now been largely bypassed by industrial and urban growth. But such growth has nevertheless been taking place around it for many decades, so that the total urban population within 30 miles of the county boundaries is now of the order of one and a half million, including London to the west, Hamilton, Brantford, and the Kitchener-Waterloo-Galt-Guelph complex to the north, and the St. Catharines-Niagara Falls-Welland group to the east. Together with Toronto, these urban areas make up the "industrial heartland" of Ontario, with which, in Canada, only the Montreal area compares in economic strength. Industrialization and urbanization will in effect bring Haldimand-Norfolk into this "heartland", and make it, quite probably, one of its more important elements in the not-too-distant future. Taking an even wider geographical perspective, one sees Haldimand-Norfolk eventually as a possible focal point in the emerging "megapolitan" structure of northeastern North America.¹ The key to this new role would be the development of the international east-west transportation routes traversing the Study Area and their closer integration with the Fort Erie-Toronto and Windsor-Toronto-Montreal transportation "corridors".

While all this may seem rather remote from the immediate issue, the restructuring of local government in the two-county area must recognize that Haldimand, Norfolk and neighbouring localities will be increasingly closely linked, physically and economically, with the various centres in a much wider area extending at least from London to Toronto and from Kitchener to Welland. In other words, the Study Area will in the future be only part of a much larger region or perhaps a group of overlapping

regions, which will have to be treated, for certain purposes at least, as functional entities, and, therefore, as time goes on, to some extent as administrative entities. This has two important implications for local government. First, its responsibilities, and the ways in which those responsibilities relate to those of the Provincial Government and other public agencies, are bound to be affected. Secondly, the areas of jurisdiction for local government will have to be compatible with the structure of broader regional agencies which will serve the functional and administrative needs of central southwestern Ontario as a whole.

¹See *A Strategy for Southwestern Ontario Development*, Departments of Treasury and Economics, and Municipal Affairs, 1970.

4.2 Provincial Policies and Programmes

These two ideas can be expressed in more concrete form in relation to Provincial policies and programmes which have already been undertaken or are contemplated in or around the Haldimand-Norfolk area.

The most comprehensive of these is the Regional Development Programme of the Ministry of Treasury, Economics and Intergovernmental Affairs. The Ministry has divided the province into ten (soon to become five²) regions, for which it is preparing comprehensive, though general, physical and economic development plans. Local "input" is at present provided by Regional Development Councils essentially based on voluntary municipal membership, and by Regional Advisory Boards of civil servants.

Haldimand and Norfolk are in different economic regions: Haldimand is in the Niagara (Southern Ontario) Region, with Brant, Wentworth, the Town of Burlington and the Regional Municipality of Niagara; Norfolk is in the Lake Erie Region, with Elgin, Oxford and Middlesex. The focus of development for the two counties happens to be situated on the county boundary and thus on the boundary between the two economic regions. The Haldimand-Norfolk Study was initiated partly as a way of permitting the area to be handled as a single entity for planning purposes despite this split.

In the circumstances, this was a necessary expedient, but it did create a new Provincial activity which not only overlapped two economic regions but also overlapped the planning function of the then Treasury Department (Phase 1 of the Study) with the municipal government reorganization programme of the then Department of Municipal Affairs (Phase 2).³

The latter programme is, of course, the one which affects municipal government most directly. Its history is outlined in an

earlier Haldimand-Norfolk report, *Restructuring Local Government: A Background Paper*. Its policy basis is set out in the White Paper *Design for Development, Phase Two*, 1968, and further extended in *Design for Development, Phase Three*, June 1972. So far as the Study Area and surrounding territories are concerned, the present situation can be summed up as follows:

—The former Counties of Lincoln and Welland were combined into the Regional Municipality of Niagara on January 1, 1970.

—The "Steele Report"⁴ recommended in 1969 the formation of a metropolitan government for Hamilton, Wentworth County, Burlington, and Grimsby; this is still under study by the Provincial Government.

—In Brantford and the County of Brant, a local government review has been commissioned by the Provincial Government.

—Legislation was passed in June 1972 creating a two-tier regional government for the County of Waterloo. The Regional Municipality of Waterloo will come into effect on January 1, 1973.

—The local government structure within the boundaries of the County of Oxford is under review by the Oxford Area Local Government Study, constituted by the county council and the municipal councils within the county.

—The present study, the Haldimand-Norfolk Study, established by the Minister of Municipal Affairs, has collaborated with a Joint Committee of the two County Councils in examining the local government structure of the Counties of Haldimand and Norfolk specifically, but with authority to extend its review into adjacent areas to whatever extent appeared appropriate.

So far, the general approach to local government reform in southern Ontario is in effect the re-creation of pre-existing counties (singly or in combination) as so-called "regional municipalities", involving (i) the reintegration of cities and separated towns; (ii) the retention of

two "tiers" of municipal government (regional and local) but with the regional councils holding greater responsibilities than the old county councils; (iii) some consolidation of local municipalities into larger units.

It must, however, be stressed at this point that the terms "region" and "regional" mean quite different things in the regional *development* and regional *government* programmes respectively. This causes a good deal of confusion when "regionalism" in Ontario is discussed; and this confusion reflects a large degree of uncertainty over the future relationship between the two programmes. Although both operate under the umbrella term "Design for Development", and now within the same Ministry, there seems as yet to be no evidence of an over-all Provincial plan for the ultimate form of "regionalism" (embracing development, planning and local government) in the province. Although under *Design for Development, Phase Three* the ten economic regions will be converted to five planning regions, it has not been explicitly stated that the new regions will comprise groups of regional municipalities, though it seems reasonable to suppose that they will. Similarly, although the councils of regional municipalities have been constituted the planning boards for their areas under *The Planning Act*, and seem to be envisaged as the primary *municipal* planning authorities, the relationship of their responsibilities and functions to those exercised by the Province under the Regional Development Programme is far from clear at present.

There are a good many other examples of the uncertainties which continue to apply to over-all policies affecting the general future development of central southwestern Ontario. Some of these activities cover areas without specific political boundaries. For example, the Ministry of Transportation and Communications is currently carrying out a comprehensive transportation study extending from the Niagara River as far west as Norfolk County; and the Ministry of the Environment has proposed a water supply system from Lake Erie which would provide water to Brantford, the

²*Design for Development, Phase Three*, June 1972. Statements by the Premier and the Treasurer of Ontario.

³Both of these programmes are now the responsibility of the Ministry of Treasury, Economics and Intergovernmental Affairs.

⁴Hamilton-Burlington-Wentworth Local Government Review, *Report and Recommendations*, November 1969.

4.3 Social Change

central part of Haldimand-Norfolk, and possibly to Kitchener-Waterloo. Other studies cover specific but very large areas. For example, a report⁵ prepared for the Ministry of Health recommends a three-tier administrative system for health services for an area including Regional Niagara and nine counties, as far north as Bruce and west to Norfolk. Some programmes have specific boundaries all their own. The area south of the London-Kitchener-Hamilton line to Lake Erie, plus the Niagara Peninsula, includes all or parts of the areas of seven different conservation authorities, whose boundaries are quite unrelated to any other administrative boundaries. Then there are the boards of education whose jurisdictions are strictly defined by individual county boundaries.

My purpose here is not to criticize for the sake of criticizing, but to draw attention as emphatically as I can to two facts which are extremely relevant to this report. One is that close functional relationships already exist, and will grow stronger, within the urban-industrial region of central southwestern Ontario, of which the Haldimand-Norfolk area is almost certain to become a part. The other is that the local government, administration and planning of this area is far from fully integrated or even coordinated, and as time goes on a much greater degree of coordination and integration will be essential. Neither fact can be ignored in devising a system of local government for the Haldimand-Norfolk area suitable for the circumstances in which it will function, and able to exercise adequately the responsibilities it will hold.

The third area to be considered as part of the future context can be dealt with more briefly, not because it is less important but it is less tangible and its implications less predictable. We are living in a world of rapid and in some ways radical social and technological change, and these changes will necessarily confront municipal government in the future with conditions, and probably with problems, with which it has not had to cope in the past. Also, people's attitudes towards government (at all levels) and society, and their expectations of government, are changing swiftly and probably will continue to do so. These changes in attitudes and expectations are most obvious in the younger generation, but they are occurring among older people too. In the Haldimand-Norfolk area such changes will be strengthened by the influx of newcomers whose ideas and values may be significantly different from those of the "established" population. While it is not possible to prescribe exactly how municipal government can prepare itself to deal with conditions which can be foreseen only uncertainly, it would unquestionably be folly to design a new system of local government on the assumption that the nature and emphasis of its responsibilities, and the social conditions in which they will be exercised, will be those to which it has traditionally been accustomed.

⁵Report on the Development of a System for the Regional Organization of Health Services in the "Hamilton" Region, 1971.

5.1 Design for Development, Phase Two

The Ontario Government's official policy for municipal government reform is presented in the White Paper *Design for Development, Phase Two* (1968), which sets out the criteria to be met by the newly-formed regional municipalities. It is, however, most important to note that these criteria are described as *guidelines* only, and experience since 1968 shows that they have in fact been treated as such and not used as ironclad rules. In summary they are:

- 1) "A sense of community identity".
- 2) A balance of interest within the area.
- 3) An adequate financial base.
- 4) A large enough size to allow economies of scale.
- 5) Public participation in determining the form of the new municipal unit.
- 6) A balance between "accessibility" and ability to provide services efficiently. (It was suggested that the minimum population for a regional municipality should be 150,000 and for a lower-tier unit (if any), 8,000.)
- 7) The "urban-centred" principle: *i.e.*, where feasible, an urban community and the rural area with which it is functionally linked should be included in a single regional municipality.
- 8) Boundaries that facilitate inter-regional cooperation.
- 9) Boundaries that are suitable for other administrative purposes, specifically those of the Province and the boards of education.
- 10) Local circumstances to determine whether the new municipal unit should be one-tiered (unitary) or two-tiered.
- 11) In the case of two-tier regions, the same criteria should be used in designing both tiers.
- 12) In the case of two-tier regions, significant responsibilities to be given to the regional level: specifically, assessment (now a Provincial responsibility), planning, arterial roads, health and welfare.
- 13) Transfer of many responsibilities from special-purpose bodies to municipal councils (regional or local).
- 14) Representation on regional councils to be based on population.

15) Regional councils may be directly or indirectly elected in the two-tier regions.

A set of guidelines is also given for determining whether the new unit should be unitary or two-tiered:

- a) Size.
- b) Population distribution.
- c) Distribution of fiscal resources.
- d) Physical and social geography.
- e) Local attitudes.

These, then, are the criteria formally adopted by the Government of Ontario as guidelines to be followed in the reform of municipal government.

5.2 Other Criteria

It is worthwhile to compare Ontario's guidelines with corresponding principles from two notable reports on local government reform outside Ontario, those of the Maud Commission and the Manitoba Local Government Boundaries Commission, and from one of the early Ontario local government review reports, that for the Counties of Peel and Halton ("Plunkett Report"). Summarizing these principles very briefly:

The Maud Report stated that boundaries of local government areas should have regard for a sense of common purpose in the jurisdiction, and for the interdependence of town and country. The provision of services ought to be in the hands of one authority, and where this is not possible due to the size of the area, the division should be clear and rational. The minimum and maximum populations recommended by the Maud Commission were 250,000 and 1,000,000 respectively, for reasons of economy of scale on the one hand and manageability on the other. The Report adds also that as far as practicable the new local government structure should stem from the existing one. (Para. 9.)

The MLGBC recommended that local government be structured to be flexible and adaptable to changing conditions, to be capable of being influenced by its citizens, and of a size that would make it politically and economically viable. Wherever possible established institutions, such as school districts, should remain undisturbed. Planning, the Commission stated, should be in the hands of an area-wide authority.

Mr. T. J. Plunkett, in the *Peel-Halton Local Government Review Report*, wrote that a new municipal structure should recognize the development pattern and character of the area; should indicate clearly the locus of responsibility and accountability; and should be designed to eliminate competition for industrial assessment in an interdependent area. The structure should be flexible enough to provide a variety of levels of service within the municipality; and the local government area should be large enough to have sufficient resources to provide services. He also called for the elimina-

5.3 Principles and Objectives

tion of special-purpose boards wherever possible.

It is interesting to note that each of these reports contains criteria not found in the other three, while certain principles, though expressed in varying ways, are accepted throughout. The latter are, of course, likely *prima facie* to apply also to the Haldimand-Norfolk area, but the former deserve equally careful consideration. The criteria adopted in this Report for Haldimand-Norfolk (as set out in the next section) are derived mainly from the earlier discussions of the nature and purposes of local government and of the present and future conditions affecting the area, but the reports cited above provided me with most helpful guidance and served as very useful "check-lists".

Based on all the foregoing, I concluded that any new system of municipal government for the Haldimand-Norfolk area should, taking into account the guidelines established by *Design for Development, Phase Two*, be based as far as possible on the following 12 principles.

1) *Any changes in the system of local government should take account both of the needs of the present and the immediate future, and of the needs of the more distant future, as far as these can be foreseen.*

In the face of conditions changing as rapidly as they are likely to do in Haldimand-Norfolk, this is essential if the disruption of repeated piecemeal governmental adjustments and expedients is to be avoided. Three general approaches to this problem seemed to be worth exploring: (i) to devise a radically new system of local government that could deal with both present and future conditions without substantial change; (ii) to make less drastic alterations to the present system in the context of a long-range plan for more sweeping change, and to continue the process as circumstances require; (iii) to devise a formula for "automatic" adjustment of the local government system to changing conditions. (The second course is the one actually recommended, since on examination neither of the other two seemed to be practicable. See Chapter 8.)

2) *Municipal government must have the financial and human resources, and the geographical scope, to provide a reasonable range of services effectively and efficiently, and to assume new responsibilities where appropriate, probably including some of those now exercised by the Province.*

Otherwise, "local democracy" is a sham, a facade behind which the real authority is exercised by the Province. The corollary to this principle is that municipal units which can provide few services, or can provide services only inadequately, should either cease to exist or should assume a new role not primarily concerned with services in the usual sense.

3) *The geographical structure of municipal government should as far as possible reflect actual relationships and differences, physical, economic and social.*

Municipal boundaries should not, in other words, be purely arbitrary but should relate to some kind of identity or "community of interest". In practice this is a complex principle which involves such considerations as the definition of rational areas for planning and servicing; functional interrelationships (e.g., market or commuting areas); and avoiding competition for assessment within natural economic units. The principle also involves taking into account similarities of character and interest, while avoiding the danger of political domination by particular interest groups and encouraging differences of interest to be resolved in the open political arena. In the Haldimand-Norfolk situation in particular, the emergence of new "natural entities" in the fairly near future must be allowed for as much as present circumstances.

4) *The scale of municipal government should be comprehensible and its structure and processes as clear as possible to the citizen. The locus of responsibility should be well defined and not diffused or obscured.*

The purpose of local democracy is largely defeated if the "man in the street" cannot understand how his municipal government works or who is responsible for what, or encounters such diffusion of responsibility that he cannot get his problems dealt with straightforwardly and expeditiously. The greatest possible degree of clarity and simplicity is the ideal to be aimed at.

5) *Municipal government should retain its essential role as the vehicle of local democracy through being so structured as to be as accessible as possible to the citizen and as responsive as possible to particular local needs and circumstances.*

In this principle, together with no. 2, lies the very essence of municipal government. If they are not maintained, municipal government loses any real validity and would better be abolished altogether. Just as it must be capable of efficiently providing enough important

services for its citizens to be able to take it seriously as a significant level of government, so it must convey a sense of being within reach and capable of being influenced by citizen views and needs. It need hardly be said that this can be carried too far; no government should be too subject to the influence of individuals, small groups or particular interests (see 3).

6) *A new local government structure should be compatible with wider regional administrative structures and with adjacent municipal organization and reorganization, and consistent with the role and functions of the Haldimand-Norfolk area in its geographical context.*

Haldimand-Norfolk will to an increasing extent have to fit into a broader framework both functionally and administratively. If new political boundaries are established, they should provide rational "building blocks" for a larger structure by following lines which are suitable also for administrative units of a wider geographical scale.

7) *A new local government or governments should be capable of dealing with the Provincial Government from a position of reasonable strength.*

Municipalities are and must remain the "creatures of the Province". But to repeat the words of the Maud Commission, "it is only by the combination of local representative institutions with the central institutions of Parliament, Ministers and Departments, that a genuine national democracy can be sustained." If the municipalities are too weak to deal effectively with Queen's Park, democracy will suffer. This has clear implications with respect to authority, financial strength, and professional and administrative expertise.

8) *Due to the extent to which the major services are interrelated it is desirable that as many of them as possible be administered by a single authority to ensure full coordination.*

This applies particularly to the services relating to the physical environment – e.g., planning, water supply, sewage disposal, parks, transportation – but does not exclude "personal" services

such as public health, welfare, police protection, hospitals and even education. All are to some extent interrelated and, to that extent (recognizing the difficulties involved), unification of responsibility would be advantageous.

9) *Municipal government should be so structured as to permit different areas to have a degree of choice in the level of services with which they are supplied and for which they are required to pay.*

Certain services (e.g., police protection, welfare, protection of public health) are general and should be provided and financed on a common basis throughout a municipality. The need and desire for other services (e.g., sewers, sidewalks, local parks) will depend on the circumstances of particular localities, and it seems reasonable that the residents of such localities should have some choice where such services are concerned, within the limits imposed by requirements of public health and safety.

10) *Municipal government should be flexible and capable of dealing with rapid change. It should be able to accommodate to new tasks and new kinds of problems, including those arising from changes in both social conditions and technology.*

Ability to meet this requirement will depend heavily on the human resources and administration of the individual municipality. It cannot be brought about by changing the form of municipal government; but the form of municipal government can help to provide the necessary conditions.

11) *The reform of municipal government should not depart unnecessarily from historic identities, traditions and loyalties, and should be acceptable to the public as far as this is consistent with practical requirements.*

This principle raises special problems, as it proves to conflict with some of the others. Government at any level is simply an instrument for serving public needs, and should be designed to do so efficiently and democratically; this must be the governing consideration. But it should also respect history, tradition and popular wishes where this can be

accomplished without seriously impairing its effectiveness.

12) *Municipal government should offer the greatest possible range of opportunities for public participation in the activities for which it is responsible.*

One of the virtues of the present municipal system is that the large number of councils, boards, commissions, etc., enable a great many people to play some part in public life and contribute to the running of community affairs, which is hardly possible at the provincial or federal levels. This largely voluntary participation undoubtedly contributes to "community spirit" and can accomplish things that might not otherwise get done, as well as offering personal satisfaction to the individuals concerned. Unfortunately, it can also have serious disadvantages unless related to a system in which responsibility is clearly defined and effectively exercised by the elected municipal council. The key issue is, therefore, one of establishing the right relationship between responsibility, elective democracy and participation.

It will be obvious that these 12 principles are by no means entirely compatible with each other. Any given system of local government will only be able to achieve some sort of compromise which may perhaps be fully consistent with some of them but only partly so with others; perhaps abandoning one or two completely. While it is difficult to establish an order of priority for all 12 principles, I consider the first five *indispensable* to good municipal government.

These are, in summary:

- 1)** Ability to deal with, or accommodate to, both existing and future conditions.
- 2)** The resources and scale to provide a significant range of services.
- 3)** Consistency with functional communities and natural territorial units.
- 4)** Clarity and comprehensibility of structure and responsibilities.
- 5)** Accessibility to the citizen and responsiveness to local needs.

It now remains to consider the extent to which different municipal government reform strategies in Haldimand-Norfolk would be consistent with these principles.

6.1 The Range of Possible Alternatives

The basic practicable alternatives for the future organization of municipal government in the Haldimand-Norfolk area are limited. In general terms they are:

- A.** Retention of the present system without substantial change.
- B.** Conversion of each county separately into a "regional municipality" similar to Niagara, Ottawa-Carleton, York and Muskoka, with responsibilities divided between a "regional" (county) council and local councils (two-tier system). This would represent only a moderate change from the present system, the key element being in practice a strengthening of the powers of the county council relative to the local municipalities.
- C.** Similar to B, but with the two counties combined into a single "regional municipality".
- D.** Similar to C, but extended to include a substantially larger area, most probably part of Elgin and/or part of Oxford and/or all or part of Brant.
- E.** Unification of each county separately into two one-tier or "unitary" municipalities.
- F.** Unification of both counties into a single one-tier municipality.
- G.** Amalgamation of the present local municipalities in both counties into a small number of one-tier or unitary municipalities without an over-all county or "regional" council.

Any of the possible new systems (B to G) could be modified by supplementing the municipal council with local "community boards".¹ Such a board would not itself have the status or responsibilities of a municipal council, but might, for example, have the authority to carry out certain kinds of local improvement and the right to review and comment on any municipal actions affecting its area. (The nearest approximation of the community board in Ontario is the police village, but a somewhat similar device has been brought into existence in the newly amalgamated City of Winnipeg.)

¹Various terms have been applied to this concept, but "community board" will be used here.

6.2 Evaluation of the Alternatives

Let us now consider how these alternative concepts relate to the 12 principles which should characterize a good municipal government system, and in particular to the five "primary" principles.

6.2.1 The Present System

Since the whole case for further consideration of local government reform rests on the adequacy or otherwise of the existing system, and since its retention has a good many staunch defenders, it should be assessed particularly carefully in relation to the five primary principles and also to the seven secondary principles.

First, then, how far is the present system of municipal government capable of dealing with present conditions and also adapting to the needs of the future (principle 1)?

It has frequently been argued that the present system has worked well for a century and can continue to do so. This reflects more sentiment than realism. The fact is that – although it may not always be readily apparent – it is now virtually impossible for a small municipality to do its job really efficiently even if its own internal character has changed little for a century. The changes which have taken place in the world around it and in the nature of its responsibilities and the expectations of its residents make it incapable of doing so. Perhaps the most obvious and simple example is that it cannot take advantage of "economies of scale" – the ability to make efficient use of expensive machinery, sophisticated management techniques and technology, and full-time specialized staff. This is almost self-evident, but there is also ample external evidence of the inability of the small municipality to function independently. On the one hand there is the long history of progressive Provincial assumption of either direct authority, administrative control, or partial financial responsibility, for functions that used to be considered purely local concerns. On the other hand there has been a parallel movement towards intermunicipal cooperation through, for example, boards of health and joint planning boards. It is quite clear that even

now no municipality is or can be "an island entire unto itself". It is equally clear that in the face of rapid growth and change the ability of the present municipal structure to cope with the demands which will be placed upon it will continue to diminish.

To some extent at least this problem can continue to be handled by transferring responsibilities to the Province, to special-purpose intermunicipal agencies, or to the county councils. It can be argued that these devices offer an adequate solution to the problem of "accommodating to future conditions". But in fact each step in any of these directions further diminishes the claim of the individual local municipality to be a valid and useful unit of government; it would in fact merely demonstrate its inability to conform with the second primary principle, possession of "the resources and scale to provide a significant range of services".

The assumption, or more accurately resumption, of municipal responsibilities by the Province is additionally objectionable in that it is contrary to the whole principle of local autonomy, and if continued, can only lead to the decay of local government and its eventual destruction in fact, even if the facade should remain. The transfer of such responsibilities to special-purpose agencies is also objectionable, for it partially divorces them from effective democratic control and leads to problems in coordinating the functions so administered.

The exercise of certain responsibilities by county councils is a rather different matter. The county is itself a well-established and venerated unit of local government with which there is a high degree of identification.² Yet its real responsibilities are few, and the trend in recent years has been towards reducing rather than increasing them, with the assumption by the Province of such functions as assessment and the administration of justice. (This raises the

²See Appendix 1, LOIS. A summary of Earl Berger Limited and David Jackson & Associates, *Local Orientation and Identification Study*, November 1971.

question whether there is really room for two "co-equal" levels of municipal government, a question which has implications with regard to restructuring which will be discussed in Chapter 8.)

In brief, even if one accepts the somewhat questionable claim that the present system of local government is able to deal adequately with *existing* conditions, the contention that it will be able to adapt to future needs as well must be rejected.

The present system does not relate particularly well to the third primary principle either – that municipal boundaries should correspond with functional and/or natural geographical units. I do not intend to illustrate this in detail, but merely to point out that the geographical definition of many municipalities seems to be entirely arbitrary, dividing areas without real physical or economic differences and which belong to the same areas of urban influence (e.g., for shopping and commuting). It is, indeed, easier to pick out the few boundaries that are *not* entirely arbitrary; for example, the Haldimand-Norfolk county line and the corresponding township boundaries, which divide areas of two distinct soil types; the northern boundary of Haldimand, which corresponds reasonably well with the limit of the Grand River basin; the Grand River itself where it forms a municipal boundary; and in general the boundaries of the towns and villages, if the urban area itself is the criterion used.

How well the present system fulfils the fourth primary principle – clarity and comprehensibility – is rather difficult to judge. In principle the system seems fairly simple: a number of local municipalities hold most local government responsibilities individually, apart from a few which are exercised collectively through the county councils. In practice it is much more complex. In the first place, most municipal functions are subject to some form of oversight by the Provincial Government, which therefore shares the responsibility. In the second place, many functions (e.g., public health, conservation, planning) are carried out on some sort of joint basis. In

the third place, education is mostly financed through the municipalities but is not under their jurisdiction. And finally, many municipal responsibilities are exercised through special-purpose boards and commissions (public utilities commissions, parks boards, etc.). This fourth area of complexity could be partly eliminated if the municipalities chose to do so; the other three are inherent in the present system of general government in Ontario. Thus, clarity and comprehensibility can be claimed only to the extent that the citizens are accustomed to the present arrangements; objectively it is certainly not true of them.

Only in respect of the fifth primary principle, accessibility and responsiveness, can the existing system claim undeniable virtues, and certainly this is not to be underrated. But even here one must enter a reservation, in that this particular virtue may in some cases be carried too far – the small municipal council, or its agents, with a constituency of perhaps only a few hundred, may be too sensitive to special interests and personal pressures, to the detriment of the good of the community as a whole. There is evidence that this is not unknown. Admittedly it is also not unknown in much larger jurisdictions; but it is not unreasonable to suggest that the authorities responsible for a small area and a small population are particularly vulnerable.

Running much more briefly through the seven secondary principles as they apply to Alternative A:

6) Compatibility with regional administrative organization: on balance the present system of municipal government is probably acceptable in that it provides a high degree of flexibility to adapt to alternative structures.

7) Ability to deal with the Province from a position of strength: the present system is clearly incapable of doing so.

8) Administration of local services as far as possible by a single authority: as already discussed, the municipalities in their present form are not capable of conforming to this principle.

9) Ability to provide choice in level of

services: to a certain extent this is provided by the present system, but only to the degree permitted by financial resources. A municipality which happens to have a substantial industrial tax base can provide a standard of services which others cannot – regardless of the desires of their citizens.

10) Flexibility and capacity to deal with changing conditions: while it is dangerous to over-generalize here, the limited resources of skills available to the small municipality is unquestionably a handicap.

11) Maintenance of historic identities and loyalties: in this respect the present system obviously cannot be rivalled by any alternative.

12) Opportunity for public participation: here too the present system rates very highly.

In summary: retention of the present system of municipal government is fully compatible with only two of the 12 principles; compatible with qualifications or reservations, or partly compatible, with six; and quite incompatible with four. Regrettably, of these last four, two (principles 1 and 2) are among the principles which I consider indispensable. Therefore, I must reject the retention of the present system as a practical possibility for the future, and turn my attention to the remaining alternatives. This will be done by a process of elimination, initially in relation to the five primary principles, in order to identify those which merit closer examination.

6.2.2 The Other Alternatives

Alternative B: Conversion of each county into a two-tier regional municipality.

This must be rejected in relation to principle 3. Since the Nanticoke development area will inevitably become the "centre of gravity" for both counties, it would be quite unrealistic to contemplate a boundary between adjacent regional municipalities which left half the "impact area" in one and half in the other. This would make no sense either on planning or on fiscal grounds.

Alternative C: *Amalgamation of both counties into a single two-tier regional municipality.*

Not clearly inconsistent with any of the primary principles; thus warrants more detailed consideration.

Alternative D: *Amalgamation of both counties into a single two-tier regional municipality with extended boundaries.*

Not clearly inconsistent with any of the primary principles, though questionable in relation to 3, 4 and 5. Warrants some further consideration.

Alternative E: *Unification of each county into separate one-tier municipalities.*

Rejected on the same grounds as B.

Alternative F: *Unification of both counties into a single one-tier municipality.*

Not clearly inconsistent with any of the primary principles, though questionable in relation to 3 and 5. Warrants some further consideration.

Alternative G: *Creation of a small number of one-tier municipalities out of the two existing counties.*

Depending on the details of the scheme, apparently consistent with all of the primary principles except perhaps 2.

The feasible municipal government concepts for the Haldimand-Norfolk area are thus reduced to the following:

C: A two-tier system covering both counties.

D: A two-tier system covering a substantially wider area than the two counties.

F: A one-tier system covering both counties.

G: Establishment of a small number of one-tier municipalities.

(Any of these might be combined with a community board system.)

Having eliminated the alternatives which cannot be reconciled with the five basic principles, the remaining four (C, D, F, G) can be compared rather crudely by

"scoring" them in relation to each of all 12 principles. The method of scoring is as follows:

Fully consistent with a particular principle:	2 points
Moderately consistent, or degree of consistency uncertain	1 point
Inconsistent:	0 points

In the case of the *five basic principles*, the score is *doubled* in order to provide appropriate weighting.

The results of the rating are given in Table 2.

This rating is naturally only a reflection of my own judgement of the way the various systems would work in practice, based on a variety of assumptions. There is ample scope in it for disagreement. Nevertheless, I do not think that it is entirely without significance that it produces a marked spread of scores. I now summarize the main considerations which led to these results, starting at the bottom.

My judgement is that an "extended" or very large, two-tier regional municipality (Alternative D) would not suit present needs and might not meet future needs satisfactorily either; that it would risk

being too large and clumsy for flexibility; that it would inevitably include areas differing widely in character and interests, and would be difficult or impossible to reconcile with historic local identities; that its structure would almost inevitably be complex; and that it would present great difficulties in terms of accessibility and responsiveness to the individual citizen.

Alternative F, a one-tier system covering both counties, I likewise judge to be difficult to reconcile with both present and future needs and likely to be inflexible; to be again too divided in character (in other words, a largely arbitrary and artificial political unit); to tend to be inaccessible and unresponsive; and to provide little opportunity for public participation in local government.

(The lack of accessibility and responsiveness which I associate with these two alternatives could be greatly alleviated by the introduction of a community board system; but their other drawbacks would remain.)

A two-tier system for the two counties (Alternative C), that is, a system similar to, for example, Regional Niagara, should correct some of the deficiencies of D and F. Its main weakness, in my

Table 2. Ratings of the Alternative Systems

Principle	Municipal System Concept			
	C	D	F	G
1. Ability to deal with, or accommodate to, both existing and future conditions.	4	0	0	4
2. Resources and scale to provide a significant range of services.	4	4	4	2
3. Consistency with functional communities and natural territorial units.	2	0	0	4
4. Clarity and comprehensibility.	2	0	4	4
5. Accessibility and responsiveness.	2	0	0	2
6. Compatibility with regional administrative organization.	1	1	1	2
7. Ability to deal with the Province from a position of strength.	1	1	2	1
8. Administration of local services as far as possible by a single authority.	0	0	2	2
9. Ability to provide a choice in level of services.	2	2	1	2
10. Flexibility and capacity to deal with changing conditions.	1	0	0	2
11. Maintenance of historic identities and loyalties.	1	0	1	1
12. Opportunity for public participation.	1	1	0	1
TOTAL SCORE	21	9	15	27

6.3 Two-tier Regional Government

opinion, would lie in the division of municipal responsibilities between two levels of local government.

This is generally considered to be a virtue of the two-tier system; I am inclined to take the opposite view, partly because all municipal services are to a greater or less extent interrelated and partly because the present trend towards administration of provincial services on the basis of "large regions" (i.e., typically much larger areas than regional municipalities) seems likely to lead to the eventual emergence of *three* sub-provincial levels of administration if the so-called two-tier municipal structure is adopted. In other respects the two-tier arrangement seems generally acceptable, subject to some reservations, and the essential question which remains is to determine how it would compare with the formation of a small number of one-tier municipalities (G).

At this point I shall drop the process of "screening out", which has served its purpose in eliminating the possibilities which have (in my view) serious inherent weaknesses, and consider the two remaining concepts in terms of practical problems and issues. For the sake of clarity I shall also drop the designatory letters and refer to:

C as *two-tier regional government* (substantially, but not necessarily exactly, for the present counties of Haldimand and Norfolk in combination, without considering any large geographical extension).

G as *unitary municipal government* (consolidation of the local municipalities of both counties in combination into a small number of new one-tier municipalities).

In reading the discussion which follows, it should be borne in mind that either system could be modified to embody the community board concept. This being so, the relative merits of the two systems are not greatly affected, and the introduction of community boards will not be dealt with in this discussion.

This would mean applying to the Haldimand-Norfolk area some form of the system which seems to have become more or less the standard pattern for municipal reform in southern Ontario, first in the Toronto area and then in Ottawa-Carleton, Niagara, York and Muskoka. Hence it needs to be pointed out immediately that circumstances in Haldimand-Norfolk are not directly comparable with those of any of the other five areas, so that it cannot be assumed that even if this is the best solution in the other areas it will necessarily be so in Haldimand-Norfolk.

However, let us consider some of the issues that would arise if this approach were adopted.

First, are the present boundaries of the two counties suitable for a new regional municipality? There are really two questions here: first, is the area *in general terms* a rational unit for municipal government purposes; and second, if so, should the existing boundaries remain unchanged? The answer to the former question is not by any means clear. Although brought together at least at the political level by the advent of the Nanticoke developments on their common border, the two counties show quite clear historical, economic and social differences, including differences in orientation to large urban centres; generalizing a good deal, Norfolk looks to London and Brantford for "big city" services, Haldimand to Hamilton. Where shared interests and characteristics cross county lines, they seem to link Haldimand and Norfolk with other counties at least as much as with each other – for example, western Norfolk with Oxford; northern Haldimand (the Caledonia area) with Wentworth/Hamilton; eastern Haldimand with Regional Niagara.

I do not wish to overstress the differences between the two counties, or the associations between them and their other neighbours, but it is important to recognize that at the moment Haldimand and Norfolk do not constitute in any sense a homogeneous or "natural" unit clearly set off from its surroundings. It is at least open to question whether there

would be any reason at all for considering them as a potential single political entity but for the emergence of the Nanticoke complex as a common focus of concern and "centre of gravity", which, of course, creates an entirely new situation.

Nevertheless, it also has to be recognized that in the long run the Nanticoke industries and the urban growth that they will generate will almost certainly create a fresh set of "fracture lines". It is reasonable to suppose that the area within roughly 20 miles of Nanticoke will become increasingly industry/urban oriented, with the proposed "new town" as its focus, while western Norfolk in particular will be directly affected, if at all, not by Nanticoke but by the proposed Dofasco development at Port Burwell. Meanwhile, the growth of Hamilton will increasingly affect northern Haldimand. Dunnville and the surrounding townships in eastern Haldimand may also experience a decreasing sense of community of interest with western Haldimand as the character of the latter becomes increasingly dominated by industry and by an in-migrant urban population.

However, even if it should be determined that the two counties could constitute a single regional municipality, questions about the suitability of the present boundaries would remain. To give some examples: there is no economic, functional or geographical basis for the present Norfolk/Elgin county line. The position of Tillsonburg, on the Norfolk/Oxford line, raises some obvious questions. The appropriateness of the present Norfolk/Brant line would need consideration in relation to the influence of Brantford, and that of the Haldimand/Wentworth line in relation to the influence of Hamilton on the one hand and the Nanticoke-based complex on the other.

The next main problem that would arise would be that of the lower-tier units. Even with the transfer of certain responsibilities to a regional council, several of the existing municipalities (in fact, probably most of them) would lack the size and resources to be suitable for retention as lower-tier units. In some cases

6.4 Unitary Municipal Government

amalgamations would present relatively little difficulty; in other cases the dismembering and reassembly of the existing municipalities into entirely new ones would have to be considered. Reassembly problems would affect Norfolk in particular, if one were to apply the principle of organizing the new lower-tier units around urban centres such as Delhi and Simcoe, which are located on present township boundaries.

But the most critical problem would be that of securing a reasonable balance in the future between urban and rural areas. The situation to be accommodated politically within 25 years or so is one in which much the greater part of the area will still be rural but 80 per cent or more of the population (something like a quarter of a million people) will be urban, perhaps half the latter being concentrated in one new urban centre (the projected new town). While in present circumstances it would be possible to devise a system of lower-tier municipalities in which none would be dominant, this situation will inevitably change fairly soon. That this is not an impossible obstacle to two-tier regional government is demonstrated by the Ottawa-Carleton experience and to a somewhat lesser extent by that of Niagara; it is nevertheless a problem which would need careful consideration.

Some further problems also arise when the two-tier regional system is related to the 12 principles, all in one way or another reflecting the fact that Haldimand-Norfolk is in many respects not a "natural" unit, and cannot become so altogether whatever may happen in the future. This in itself conflicts with principle 3. A practical consequence is that the new entity would not be easily adaptable to planning and administration at the "large region" scale (principle 6). The obvious illustration is that at present it is divided between two economic regions. But there are others: different parts of the area are oriented to different cities for "big-city" services, and are likely to remain so to some extent even when the area has its own large town; Haldimand-Norfolk does not appear a suitable unit from a technical point of view for developing regional water

supply and sewage systems; and it is and will almost certainly remain divided into different conservation areas. The lack of a fundamental unity or homogeneity might also generate opposition to providing the regional council with the powers it should have, and hamper it in using them effectively (principles 2 and 8).

In short, a two-tier regional government for substantially the area now included in the counties would present a number of difficulties arising from the fact that the area has no underlying functional unity and is a quite arbitrary entity from a practical point of view. The outer boundaries would in any case need examination and probably alteration to eliminate the most obvious irrationalities. In addition, the delineation of satisfactory lower-tier units would be difficult in certain cases.

The second alternative to be discussed in detail is that of dividing the area into a small number of one-tier or unitary municipalities.

This approach, it must be recognized, would depart from the policy so far followed by the Provincial Government in reorganizing municipal government in southern Ontario: the creation of two-tier regional municipalities. But it is not excluded by the Government's policy statement of 1968 and it has in effect been adopted in the case of Thunder Bay, for example. I believe that it can be defended on the ground that in central southwestern Ontario many programmes and services will necessarily have to be planned and administered for areas (which I have previously called "large regions") much greater in size than can reasonably be contemplated for any kind of municipal government unit. This is already happening, as I have shown earlier in this Report. What coherent form this "large region" structure will eventually take is far from clear, although *Design for Development, Phase Three* may be pointing the way. In fact, however, a tier of planning and administration, if not of representative government, is emerging between the Provincial and municipal levels. This being so, I believe that it is by no means self-evident (not to put it more strongly) that it is desirable to complicate matters further by dividing municipal government itself into two levels. I suggest that it is at least reasonable to consider as an alternative a series of unitary municipalities whose responsibilities are clear to their citizens and which can be grouped into "large regions" for particular purposes in respect to which they can work as effective partners of the Provincial Government.

The central argument in favour of dividing the Haldimand-Norfolk area into a number of one-tier municipalities can be summed up very simply: the area as a whole, as already discussed, is not and probably will not be a "natural" unit for municipal government purposes. On the other hand, there would be no point in considering the division of Haldimand-Norfolk into smaller "homogeneous" areas with two-tier governments because

none of the areas, at least initially, would have a large enough population to justify two tiers. The most obvious objection to the unitary scheme, in fact, is that it might be difficult or impossible to define units which would be strong enough to function effectively by the standards of the 12 principles, even with one-tier government, without being so large geographically as to retain internal conflicts of character and interest. To discuss the problem realistically, we need to consider how the approach might work in practice, having in mind the conditions which will soon begin to take shape.

The key fact is that there will emerge a sector centred roughly on Nanticoke whose population will become predominantly urban and which will be increasingly oriented to the industrial area and the new town, even though most of its land area will remain agricultural. For discussion purposes this sector can be considered to include those parts of both counties within 20 miles or so of Nanticoke (we are not concerned at this point with precise boundaries). I will call it the "central sector". This would leave much of western and northwestern Norfolk (the "western sector") still predominantly agriculture-based (mainly on tobacco farming) and probably still oriented primarily towards Tillsonburg and/or Brantford. Northern Haldimand, around Caledonia (the "northern sector") would be strongly influenced by both Hamilton and the central sector. Finally, Dunnville would be the centre of an "eastern sector" comprising the town and the surrounding townships.

Would these four sectors be suitable for organization into unitary municipalities?

For some time to come the central sector would remain quite diverse in character, including parts of what are now separate counties, two quite distinct types of farming, and several urban places of varying size. A dominant focus and community of interest would come into existence only gradually.

The western sector would be relatively homogeneous, but for most of it the natural centre (as demonstrated both by our own studies and those of the Oxford

Area Local Government Study) is Tillsonburg, which is also the dominant urban centre of parts of Oxford and Elgin counties. Thus it would be necessary to consider whether a new municipal unit centred on Tillsonburg should include those parts of Elgin and Oxford as well as the western sector of Haldimand-Norfolk.

The northern sector by itself would not be strong enough to be viable as a municipality in relation to the 12 principles. Since it would be strongly influenced by both Hamilton and the central sector, it might better be included in the latter or in the proposed Municipality of Metropolitan Hamilton.

The viability of the eastern sector would also be questionable, although a case could be made for retaining a separate Dunnville-centred municipality, perhaps even including part of the present Regional Municipality of Niagara. However, it would be necessary to weigh this against incorporating the eastern sector either into the central sector or into Regional Niagara, or even, conceivably, joining it with the northern sector to form a municipality extending along both sides of the lower Grand River.

There is, of course, an almost infinite number of ways in which the Haldimand-Norfolk area could be arranged into a group of unitary municipalities. I do not suggest that the possibilities discussed are the only feasible ones. But the unitary approach is subject to two basic constraints which I have tried to illustrate. First, if municipal reorganization is to serve any really useful purpose there can be only a very small number of municipalities so that they can be strong enough to be effective units of government. Second, if they are to be one-tier or unitary municipalities they must have some kind of actual community of character and interest. When these two constraints are taken into account it becomes clear that the range of practical possibilities available under this approach is very limited.

7.1 Local Identity

The last major set of considerations which local government reform must take into account consists of the attitudes of the people directly involved. Our knowledge of these attitudes derives mainly from three sources: from our continuing cooperation, for more than three years, with the Haldimand-Norfolk Joint Study Committee, representing the two county councils, and many personal conversations with individual members of the Committee; from a total of 30 public meetings held throughout the two counties (and also in Elgin, Oxford and Brant) during June and July of 1971 and February of 1972; and from the Local Orientation and Identification Study (LOIS), carried out by consultants on behalf of the HNS.¹

The interpretation and use of the information obtained is necessarily subject to two major qualifications.

First, the restructuring of local government is intended primarily to create an adequate political and administrative machinery for dealing with the conditions of the future rather than with those of the present – most significantly, a four-fold increase in population and a radical change in physical, social and economic characteristics by the end of the century. This does not mean that the desires and attitudes of the existing population can or should be ignored; it does mean that they must be weighed against the needs and circumstances of the much larger, and significantly different, population of the future.

Second, among 84,000 people one cannot expect to find complete uniformity of opinion. While it is clear that certain values and attitudes are prevalent, on many matters opinions vary greatly, sometimes diametrically. The account which follows is an attempt to convey somewhat impressionistically the general sense of public opinion where this could be identified, and also to indicate the areas in which there seems to be little or no consensus. A more rigorous statistical analysis of some of the issues discussed can be found in the LOIS report.

One of our main concerns was to discover how far people in the area in fact identify themselves with the particular locality, municipality or county in which they live – how important is it to them in psychological, as opposed to practical, terms? In general the answer seems to be that it is quite important. The particular town, village, township or county that an individual lives in is likely to mean something more to him than a source of services and tax bills. This feeling emerges even more strongly in Haldimand than in Norfolk, probably because of the greater economic and social changes that have taken place in Norfolk during the last half-century. Haldimand has generally been a very “stable” county since the earliest white settlement, and a strong desire to maintain its identity is evident.

It seems that the strength of local identification is associated with a high level of involvement in local affairs. The results of LOIS indicate that a large proportion of the population holds or has at some time held public office, or office in some local organization, and this close relationship between government and governed at the local level—which of course implies small units of municipal government – is clearly viewed as an important advantage, perhaps the outstanding advantage, of the existing system.

It follows inevitably from these circumstances that the idea of radical change in the historic municipal structure is widely viewed with suspicion and in many cases outright hostility. We frequently encountered statements along the lines of: “What we have now has served us very well for a long time – why do we need to change it?”, or “Whatever else happens, *this* township has to be left alone.” Even where views are less rigid, there is a concern that any new structure of local government should respect local conditions and traditions, and a fear that change would mean the loss of local identities; in some minds, larger-scale municipal government seems to be equated with a sort of general homogenization.

Some of the more specific arguments advanced locally support the general attitudes which have been described, particularly with regard to maintaining the separation of the two counties – “Haldimand and Norfolk have nothing in common”, “Norfolk’s ties are to Brantford; Haldimand looks towards Hamilton”. But this was far from being universally true; there is a fairly wide recognition of the fact that, whether they like the idea or not, the destinies of the two counties will be closely linked in the future, and an acceptance of the need to act accordingly, even to the point of some form of political union, seems fairly widespread, though this is also qualified by doubts related to the sheer size of such a “local” political unit. There is evidence of a recognition in some minds that other changes might be desirable or at least defensible. Examples include the identification of the western townships of Norfolk together with Bayham Township in Elgin as a “natural” unit with Tillsonburg as its urban service centre (related to this is the question of the future of this area if and when the prospective Dofasco project is started at Port Burwell); the suggestion that the links between Dunnville and the Wainfleet area in Regional Niagara are stronger than between Dunnville and much of the rest of Haldimand; the question of the growing linkages between the Caledonia area and Hamilton; and the suggestion that the Grand River provides a strong bond of interest among the communities along it, within and outside Haldimand.

(Further questions are raised by the objective evidence produced by LOIS relating to areas of interaction, which strongly indicates that such areas bear little relationship to municipal boundaries; though it does tend to support the present validity of the Haldimand-Norfolk county line as a functional and not merely a political boundary.)

¹Summarized in Appendix 1, LOIS.

7.2 Municipal "Big Government"

Attitudes towards "big government" at the municipal level (almost always using the label of "regional government" and often with reference to the experience, real or reputed, of the Regional Municipality of Niagara) range from favourable through sceptical to actively hostile, but the balance of opinion appears to be clearly tipped towards opposition. Reasons are commonly essentially negative: fear of "too much power" in the hands of the new authorities; of proliferation of bureaucracy and red tape; of extravagance and wastefulness; of a "local" government effectively out of reach and beyond real local control. *Larger-scale* municipal government tends to be equated with *more* government in total, and the opinion that "we are already over-governed" is probably quite widely held (the possibility that larger municipal units, by eliminating duplication, reducing the total number of elected officials, and eliminating all or many special-purpose agencies, could perhaps reduce the total "volume" of government, is seldom considered). One must, however, acknowledge the positive elements in the arguments: the desirability of ready access to municipal government, the responsiveness of small municipal units to public opinion and expressed local needs, the greater opportunity to be actively involved in municipal government when it is small-scale, and its greater ability to attract voluntary participation in local public affairs in one way or another.

7.3 Municipal and Provincial Government

Attitudes towards the reform of municipal government are frequently associated with beliefs concerning the motives of the Provincial Government and its role and responsibilities at the local level. On these matters there are strongly conflicting views and a good deal of what can only be described as confused thinking. The reform of municipal government (and specifically the "regional government" programme) is seen by some as a device for extending Provincial control over local affairs, but by others as a means of regaining greater municipal autonomy and as a *defense* against the growth of Provincial power at the local level. The former view seems to be more widely held, though it is difficult to see how it can be justified in fact. It stems apparently, in the first place, from a misunderstanding of the nature of "regional government" (seen by some as an extension of Queen's Park rather than as an elected municipal government), and in the second place, from a confusion of local government reform with other programmes and actions of the Province—noticeably the "takeover" of assessment. Both are well illustrated by a common inability to differentiate between a "regional government" for the Haldimand-Norfolk area, and the establishment by the then Department of Municipal Affairs of a "regional" assessment office in Brantford for the two counties plus Brant—thus, among other things, leading to the conclusion that the decision has already been taken to make Brant, Haldimand and Norfolk one new "regional government" unit. There can be no question that the use of the words "region" and "regional" in a variety of ways by the Provincial Government makes this kind of confusion of ideas not only understandable but inevitable.

Distinct from the questions of Provincial motives and the nature of "regionalization" is the more down-to-earth question of whether the need for municipal reform could be eliminated by an extension of the Province's direct responsibilities in the area. This in itself is a legitimate argument; unfortunately, it is apparently not generally recognized that such an extension of the Provincial role would be totally incompatible with the widely-expressed desire to maintain and even

increase municipal autonomy. One comment, unkind but probably not entirely unjustified, was made at a public meeting to the effect that some municipal office-holders really want to eat their cake and keep it too by retaining their public positions while shifting the real responsibilities elsewhere. Here, confused thinking seems to give place to wishful thinking.

7.4 Minimal and Progressive Change

Many people accept that the present system will not be adequate to deal with future conditions without some modification, but believe that something less than radical change would suffice. Others believe that a completely new local government system may be needed eventually, but could be achieved by stages as development and population growth actually take place. (This division into two distinct groups is actually a simplification; the two attitudes tend in practice to be only differences in emphasis.) The possibilities suggested either as alternatives to, or first steps towards, total restructuring of local government can be summed up as:

- i) Combining Haldimand and Norfolk into a single county;
- ii) Sharing of certain responsibilities (e.g., planning) by the two counties;
- iii) Intermunicipal cooperation in planning, provision of services, etc., within the present political structure;
- iv) Amalgamation of existing municipalities into a significantly smaller number of larger units.

It hardly needs to be pointed out that two or three of these courses could be pursued simultaneously, which would in fact produce a substantial change in the existing system while preserving its general outline.

7.5 Municipal Functions

The actual responsibilities to be assumed by local government under a new system did not emerge as a major issue. It seems to be assumed that whatever reform might take place, municipal functions would continue to be much what they are now, and the possibility and desirability of reorganized local government assuming greater responsibilities than it now holds does not appear to be given much consideration; rather, as already mentioned, the opposite course is regarded by some people at least as a possible way of escaping structural change. It is a fair comment, I believe, that generally much more concern is shown about the maintenance of the traditional *structure* of local government than about its *purpose* – the services that local government provides and the efficiency and effectiveness with which it provides them. This attitude is reflected in the comment, representing an apparently rather common feeling, that the creation of a new system of municipal government will tend in itself to give rise to a demand for more services.

One suggestion emerged, however, which deserves to be noted: that with larger units of municipal government consideration could be given to the abolition of boards of education and the assumption of their responsibilities by the new municipal councils.

7.6 Finance

If the responsibilities of municipal government appear not to be a subject of great concern, finances certainly are. It is a very widespread view that the restructuring of the taxation system ought to take precedence over the organizational restructuring of the local government system, and that in this respect the Provincial Government has its priorities wrong. This goes as far as the belief that the reorganization of local government is in fact doomed to be largely ineffective without basic reform of the fiscal arrangements which support it.

Even among those who are not prepared to go so far, there is a general conviction that local government reform will mean higher costs (Regional Niagara again frequently being cited as the “proof”) and that if such reform is the will of the Provincial Government, the Provincial Government will have to provide substantial financial support. Assumptions about the costs involved as a result of a new system reflect the assumptions about its general nature: higher costs of operation (“overpaid bureaucrats”) and inaccessibility to effective public control of expenditures (though there is also some criticism of present municipal financial management, and it seems that there may be at least a minority belief that larger government at the local level might manage its affairs more efficiently than do at least some of the present municipalities).

The general question of autonomy and responsibility arises again in the expressed fear that, under a new system, municipal government might have to assume some costs now borne by the Province.

7.7 Physical and Functional Considerations

Although attitudes and opinions concerning the physical environment generally relate to development planning rather than municipal government, some of them do have a bearing on the latter.

There appears to be a good deal of doubt as to the desirability of large-scale urban growth, and the notion of a large town or city in the Study Area is not received with universal approval. "How much growth do we really want – how much is good?" are real questions in many minds.

(This is related to the belief, which is certainly of direct significance in the area of local government reorganization, that urban and rural people have essentially different interests. This probably reflects a fear that a large urban population might eventually dominate the area politically to the disadvantage of the "established" population.) Conversely, there is a strong sense of the "quality of life" offered by the small-town and rural environment, an awareness of the natural assets of the area, a concern for the retention of recreation space, the avoidance of pollution, and similar matters, in the face of industrial and urban development.

Correspondingly, there is fairly general acceptance of the need for effective planning, control of speculation, preservation of farmlands, control of urban and industrial growth, and so forth. Here at least there is probably something approaching a consensus on the need for joint and effective action at a county, regional or even Provincial level, matching doubts about the quality, effectiveness and integration of current local planning and some questioning of the adequacy of present Provincial planning legislation.

7.8 Synthesis and Comments

To distil into a few central themes the preceding brief digest of diverse opinions of many people on a complex subject necessarily involves selecting, simplifying and generalizing from what is already selective, simplified and generalized. Yet it is possible, on the assumption that this is recognized by the reader and that he will realize that there are many exceptions to each statement made, to identify a few basic attitudes towards municipal government which are broadly typical of the people of Haldimand and Norfolk.

They place a high value on local control over local affairs and are anxious to retain and if possible extend it. They resent the "encroachment" of the Provincial Government on municipal "rights" and responsibilities. They are reluctant to recognize that this encroachment is the inevitable consequence of the inherent inadequacies of the traditional system of local government in coping with conditions vastly different from those which prevailed when the system was established.

Accepting that some changes may be needed in view of impending economic, physical and population growth, they tend to underrate the impact of the latter and thus underestimate the need for the former.

Faced with the prospect that existing small units of municipal government will be increasingly unable to deal with the problems they will have to face, the majority opinion seems to favour minimal or adaptive change (through such devices as intermunicipal cooperation) in preference to comprehensive reorganization.

The ability of the present system of municipal government to do the job for which municipal government ostensibly exists seems to be a matter of less concern than is the maintenance of the system more or less in its present form. (Indeed, the limits on this ability seem to be regarded as a sort of protection against increasing servicing costs and thus higher taxes.) Despite the general dislike of Provincial intervention, some people would prefer to maintain the form

of the system substantially unchanged even at the price of a continuing shift of the reality of responsibility to the Province.

The notion of "big government" at the municipal level is widely viewed with mistrust associated with anticipated increases in cost, bureaucracy and red tape, and with the loss of effective local control and sensitivity to local needs and conditions. It is not generally considered in terms of a practical way – in fact, the only practical way – of maintaining and perhaps even increasing real municipal autonomy.

While these attitudes certainly reflect a degree of unwillingness to recognize the implications of changing circumstances, and a desire to cling to familiar institutions even when they have become seriously out of date, they are by no means entirely negative. They reflect also an awareness of the accessibility of the present municipal governments, their closeness to the "grass roots", the opportunities they offer for widespread participation in public affairs. They reflect the value attached to historic local identities and an anxiety that they be preserved.

Nor do popular attitudes in fact run universally counter to substantial municipal reform. Despite the anxiety to maintain traditional identities and loyalties, it is recognized that in several parts of the Study Area there are common interests and functional relationships that cross municipal and even county boundaries. Growing differences in interests and orientation within the existing local political units are foreseen as industrial and urban areas begin to emerge in sharper contrast to their rural surroundings. The prospect of physical change contributes in another way to the acceptance of the need for firmer and united political action in at least two closely related fields: the control of industrial and urban growth, and the protection of the physical environment.

Underlying all these concerns is the question of money. While it would be wrong to say that a guarantee against higher taxes would eliminate opposition

to municipal government reform, it would certainly substantially reduce it. Such reform is now quite widely seen, not as a means of *enabling* municipalities to provide a full range of local services and thus of maintaining real local autonomy and responsibility, but as a way of *compelling* new services to be provided at the cost of the local ratepayer – an important difference in perspective. That comprehensive fiscal reorganization should accompany, if not precede, comprehensive local political reorganization is the unstated theme of much local opinion, generally expressed as fears of substantial additions to the allegedly heavy load of property taxation.

8.1 The Proposed Structure

As far as it is possible to foresee future circumstances, I have concluded that the structure of municipal government that would best serve the Haldimand-Norfolk area (which for this purpose I do not confine strictly to the two counties) would be a series of unitary municipalities – eventually.

The unitary concept is simple and comprehensible: it simply means retaining the pre-1969 style of municipality, consolidated into much larger (and therefore stronger) units, without the inevitable complexities of the two-tier structure. Municipal units substantially smaller than the 1,100 square miles of the combined counties¹ would better reflect the differences of character and interest that the area as a whole will increasingly exhibit, and which should be reflected in the structure of local government, than could any kind of over-all “regional” government. Such units would also be better adapted to form “building blocks” in larger regional structures for planning, water supply, health services, etc.

I believe that the unitary concept is well suited to meet four of the five indispensable principles for a sound local government system in Haldimand-Norfolk, as set out in Section 5.3, provided that it incorporates some form of the community board device if necessary.

Unfortunately, in present circumstances it would not accord well with the second principle: at best, one or two of the new municipalities would be relatively small in population if not in area, and would not have a significantly greater ability to provide services to their citizens than do many of the present municipalities, as the Steel Company’s submission quite rightly points out (pp. 14-15). This alone

¹Stelco’s submission (p. 13) points out that these municipalities would still be much larger than any one-tier municipality in southern Ontario (with one unimportant exception). (The Steel Company of Canada, *The Haldimand-Norfolk Study: Local Government Re-Structuring – Views and Observations*, April 1972.) I cannot regard this as a serious objection. I believe that Mr. T. J. Plunkett’s observations are pertinent; see *Peel-Halton Local Government Review Report*, 1966, pp. 107 ff.

is a strong argument against the immediate adoption of the concept. There are others as well, notably the fact that the creation of a rational set of unitary municipalities would not be possible without infringing on neighbouring counties to an extent that should be avoided pending a more comprehensive examination of municipal boundaries.

We must therefore consider again the desirability of adopting an “interim” solution rather than a “permanent” one² – more precisely, a local government arrangement that is explicitly intended to last only for the early stages of change, that will be capable of dealing with conditions in that period, and that can then be replaced by a new structure better suited to the conditions likely to exist in the area towards the turn of the century. This clearly means a “two-tier regional” government, the other alternatives having been rejected.

Acknowledging, as I did at the beginning of this Report, that ideally it is undesirable to reorganize an entire governmental structure except at long intervals, there are in fact several sound arguments for applying an interim solution in the case of Haldimand-Norfolk. First, as already discussed, the preferred long-term structure would not be very practical in present circumstances. Second, the timing and nature of economic, demographic and physical change in the area, not being completely predictable, would probably require a fairly far-reaching review of the new local government system within the foreseeable future anyway. Third, acceptance of an explicitly temporary solution will make it possible to avoid the problem of departing substantially from present county boundaries in the absence of any comprehensive study to provide general guidelines.³ Fourth, it is wise not to make more drastic changes in establishing institutions than strictly necessary, and where drastic change is necessary, to bring it about step by step if possible to make the adjustments relatively easy. Although four submissions expressed preference for a unitary

²See Appendix 1, LOIS, Summary of Conclusions.

system of government immediately,⁴ it is very clear (see Chapter 7) that of the three alternative concepts put forward, the two-tier region is by far the most acceptable to the public and the local politicians, probably because of its similarities to the familiar county system; which means, other things being equal, that it should be the least contentious and the one to which politicians and public would adapt most readily.

It is therefore recommended that the counties of Haldimand and Norfolk (subject to some modifications of their present boundaries) be constituted a regional municipality containing a number of local or lower-tier municipalities. It is at the same time emphasized that this is not to be regarded as a “permanent” solution but as subject to comprehensive review and possibly substantial change within the fairly near future.

No recommendation is made as to the name of the new regional municipality. It will be referred to in the remainder of this report as “Haldimand-Norfolk”, but “The Regional Municipality of Haldimand-Norfolk” seems rather cumbersome for permanent use. Alternative names might be Talbot, Iroquoia, East Erie, Grand River or Long Point. I suggest that the name to be adopted might best be settled by the Joint Study Committee.⁵

³One of the main sources of uncertainty as to the future development pattern and the most appropriate long-term local government structure in the western part of the Study Area is the proposed Dominion Foundries and Steel development at Port Burwell. If this actually comes about, it may have as great an impact as Stelco. However, it may not be possible to assess and prepare for this impact for as long as ten to 15 years. Meanwhile, any “final” solution of the local government structure in that area would seem to be premature.

⁴Mr. J. R. Tyrell (Simcoe), Mr. S. Heeg (Jarvis), Mrs. M. Rogerson (Simcoe) and a Waterford citizens’ group chaired by Mayor Harry Scott.

⁵The Joint Study Committee is, of course, only an advisory body appointed by the two County Councils, and where this Report suggests that a particular matter be left to the Committee to determine, it would in fact be up to the County Councils to accept this or alternatively to assume the task themselves or to reserve the right to approve the Committee’s decision.

8.2 Some Problems of the Proposal

It should by now be clear that if there is such a thing as a perfect system of local government for any part of the world (which is unlikely), there is none for Haldimand-Norfolk. I have sought to circumvent some of the difficulties by recommending an interim arrangement, but this in itself creates its own difficulties. One is to ensure that it is in fact temporary and is not allowed to become a long-established – and increasingly out of date – institution. To deal with this problem, I propose that the legislation creating the new regional municipality direct the Minister or the Municipal Board⁶ to initiate a new review when the total assessed population reaches 150,000 and in any case not more than ten years from the coming into existence of the regional municipality.⁷ The legislation could of course subsequently be amended if appropriate, but this device should at least ensure that the review is not overlooked altogether. This is of crucial importance, since the whole scheme hinges on the assumption that it will not be “permanent”.

A second problem associated with the interim nature of the proposed scheme is to ensure that the boundaries of the new local municipalities are consistent with the pattern of future restructuring as far as this can be foreseen. This argues strongly for drawing boundaries in such a way as to make it easy to keep the industrial area and the main residential areas within the same municipality in the future. This would be desirable for reasons of common interests as well as to maintain a reasonable balance between local revenues and costs.

Sections 6.2 and 6.3 have discussed several general problems involved in constituting Haldimand-Norfolk a two-tier regional municipality as well as in drawing boundaries for the local municipalities, and I do not intend to repeat the full discussion here. If the

measure is treated as temporary, some of the objections – such as the widening split between the urban-industrial “core” and the rural periphery – become largely irrelevant anyway. But two of these problems do need to be stressed.

The first lies in the differences between the two counties. They are deeper than they may seem to the casual observer, who sees only a superficially fairly uniform rural and small-town landscape from Tillsonburg to Lowbanks. But in fact, not only do the different parts of the Study Area look to different cities for specialized goods and services, but the histories and agricultural economies of the two counties have brought about substantial differences in outlook and attitudes as well as in population size and wealth. An editorial in the *Tillsonburg News* (February 18, 1972) summed up the position neatly if a trifle sardonically: “It would appear that Norfolk and Haldimand really have very little in common, and that any marriage would be something of a shotgun affair, occasioned by the Nanticoke industrial baby being dropped at their doorstep.” This is borne out not only by LOIS but by the written briefs submitted by the two counties and their municipalities. On the whole Norfolk appears to embrace the idea of regional government more readily than Haldimand, especially at the political level.⁸ The cynic would suggest that this might have something to do with the fact that most of the new industrial development is on the Haldimand side of the county line; but I think it can be attributed at least as much to a greater conservatism in Haldimand, resulting from historical and social differences, and to a fear of domination by the wealthier and more populous county. Neither I nor the Provincial Government can solve this problem; it will be up to the good sense of the people and the local politicians themselves. If one can judge by the cooperative and constructive spirit of the Haldimand Norfolk Joint Study Committee, the auguries are good.

The second problem is the size of the proposed region of Haldimand-Norfolk. As regional municipalities go, Haldimand-

Norfolk will at first be small in population if not in area. Its population of 85,000 will be little more than half the minimum suggested in the White Paper *Design for Development, Phase Two*, and compares with 160,000 in York, 340,000 in Niagara, and 460,000 in Ottawa-Carleton (admittedly, the District Municipality of Muskoka has only 30,000 people). It has, in fact, fewer people than the Cities of Oshawa or St. Catharines. It is implicit in the two-tier concept that the region as a whole should be large enough in terms of population and wealth to support economical and efficient administration and services at both levels; if it is not, there is the danger that total resources, particularly of professional and administrative expertise, will either be inordinately costly or will be spread too thinly to be fully effective. To take a specific example, it seems *prima facie* extremely questionable whether a population of 85,000 justifies a regional engineering department directed (as it certainly should be) by a professional engineer and with the necessary professional and technical staff, and also several local engineering departments with their own professional and technical personnel. (The point is underlined when one considers also that for some time to come a great deal of the responsibility for water supply and sewage disposal will inevitably have to reside with the Provincial Ministry of the Environment.)

Much the same argument applies to planning; and here another consideration must be taken into account. While the full impact of industrialization and urbanization is not likely to be felt until the mid-eighties, the region is going to experience substantial change during the next decade, probably including rapid growth of existing towns and villages, pressures for rural severances, the construction of new highways, pipelines, hydro transmission lines and regional water supply and sewage disposal systems, and a start on the development of a new town. There will be strong pressures on recreational resources and potential, from both within and outside the region. There are, in fact, serious problems already in existence that will have to be dealt with,

⁶As under section 45 of *The Ontario Municipal Board Act*.

⁷In view of the statement by the Premier and the Treasurer of Ontario in June 1972 (*Design for Development, Phase Three*), it seems possible that this new review could in fact take place considerably sooner, as part of a broader study of municipal units in Ontario.

⁸See Appendix 1, LOIS, Summary of Major Findings.

8.3 Key Features of the Proposal

notably pollution and health hazards resulting from lakeshore cottage development. Strong central planning will be essential to ensure that these issues and perhaps others – for example, the advent of large new industries – are resolved within the framework of a regional plan. Parochial planning simply will not serve; and the regional government, which will have to coordinate the exercise of its planning responsibilities with Provincial policies while at the same time ensuring that local interests are protected, should not be placed in the position of having those responsibilities sandwiched between Provincial plans and those of the local municipalities. There is, in short, no room for planning powers at the level of the local municipality; though this does not preclude certain *rights* in relation to planning at that level.

Having commented on the problems of the small regional population, some remarks are in order to answer the charge that Haldimand and Norfolk together are “too big” for one region. This again must be judged in the light of the functions to be carried out by the regional council. Should the region be deemed “too big” for a certain function, this particular service (e.g., street cleaning, or local parks) can be handled locally. In other words, the issue of the size of the region must be judged in relation to the allocation of responsibilities and of representation and not just in terms of square miles.

The foregoing discussion suggests that the new local government structure should have certain general characteristics in addition to two tiers and the requirement of a fairly early review.

First, the division of responsibilities between the regional and local councils will have to favour the former more than it does in the existing regional municipalities, partly to secure economy in the use of total municipal resources and partly to permit strong over-all planning. This means in practice that (subject to certain qualifications discussed in Chapter 10) planning and engineering will be essentially regional responsibilities (construction of streets and sidewalks, water distribution, sanitary sewerage and the like are too intimately related to planning for the two areas of responsibility to be rationally exercised at separate levels, apart from the considerations already mentioned).

The removal from the local councils of any substantial jurisdiction over at least two important municipal functions inevitably means that their responsibilities will be much more limited than those of the present towns, villages and townships. (It should, however, be noted that they will be greater than they may seem at first sight, since under the specific recommendations in Section 10.2 the local municipalities will have important roles with respect to several functions which are primarily regional responsibilities.)

In my opinion, the corollary to this is that their *geographical areas* of jurisdiction should be much larger. The opposite can be argued, of course: that limited responsibilities can be carried out adequately by small municipalities. But I suggest that to have even a small council and the most rudimentary municipal administration responsible only for providing a few services to a few people would be a mere parody of local self-government, and that a far more rational approach is to create quite large (and therefore few) municipalities whose size will compensate for reduced responsibilities in justifying the retention

of local councils and administrative staffs.⁹

This approach has the advantage of making it possible to define one local municipality to include the whole of the “core” industrial/residential area without it being completely disproportionate in size to the other local municipalities from the beginning. It also avoids some of the difficulties discussed in Section 6.3.

To summarize the principal features of the proposed reform:

- i) Amalgamation of the Counties of Haldimand and Norfolk into one regional municipality, subject to appropriate adjustments of the outer boundary;
- ii) A two-tier structure of municipal government for the region, with the existing 28 towns, villages and townships reduced to a much smaller number of relatively large local municipalities;
- iii) A “strong” regional council, holding substantially exclusive responsibility for planning and “hard” services as well as for the functions generally allocated to the regional level in two-tier municipalities in Ontario;
- iv) Legislation requiring a comprehensive review of the entire system at a specific point in time.

⁹It is perhaps worth observing that a reduction in the total number of councils from 30 (county and local) to seven (regional and local) should provide a “fringe benefit” by facilitating media news coverage of municipal affairs, leading to a better informed public.

9.1 New Boundaries

In recommending new municipal boundaries, both internal and external, I have followed the principle of retaining old boundaries as far as possible, and only in certain places, for specific reasons, do I recommend departing substantially from the latter. Where the recommended boundaries are completely new, as for example in the vicinity of Tillsonburg, Simcoe and Caledonia, they have been drawn according to such considerations as allowing for urban expansion, observing natural features, and following the boundaries of registered parcels of land. (Where the exact final boundary follows a road other than a provincial highway the road should come under the jurisdiction of only one municipality in order to avoid divided responsibility for maintenance.)

There is room for minor adjustments. This is even the case where old boundaries are retained; restructuring could provide an opportunity for adjusting such boundaries where there would be practical advantages in doing so (a specific suggestion is made below concerning the boundary between the proposed Municipalities of Central Haldimand and East Haldimand). I recommend that before the final boundaries are determined, the Joint Study Committee be consulted as to possible modifications.

9.2 The Regional Municipality

In determining the exact geographical shape of the new regional municipality, four areas had to be given special attention.

The Tillsonburg Area. The Town of Tillsonburg is in Oxford County but is on the very boundary of Norfolk and little more than a mile from that of Elgin County. Tillsonburg is the largest urban centre between St. Thomas, nearly 30 miles by road to the west, and Simcoe, 20 miles to the east, and between Woodstock and Ingersoll, nearly 20 miles north, and Lake Erie, about the same distance to the south. It is, therefore, the natural service centre for a substantial rural area which includes portions of all three counties. (The agricultural base of most of the area is tobacco; the Ontario Flue-Cured Tobacco Growers' Marketing Board headquarters are just outside Tillsonburg.) Roughly, this area includes all or most of the four westernmost townships of Norfolk and the Village of Port Rowan; the Township of South Norwich and the southern half of Dereham Township in Oxford; and Bayham Township and the Villages of Vienna and Port Burwell in Elgin. The total population of this tributary area, including Tillsonburg itself, is about 28,000.

This "community of interest", as it is termed by the Oxford Area Local Government Study, was identified quite independently and with very similar boundaries by that Study and by LOIS. The Town of Tillsonburg itself is very conscious of the fact that its "community of interest" bears no relation at all to county boundaries, as demonstrated by the submission presented by its Industrial Commissioner to this Study and to the OALGS.

Tillsonburg seems to have made a number of attempts to break away from political boundaries which it evidently finds unsatisfactory and which certainly bear no relation to functional relationships. The latest formal move was an attempt to amalgamate with Dereham Township, frustrated by the unfavourable results of a plebiscite in Dereham (this was perhaps neither surprising nor altogether unfortunate, since according to the Oxford Area Local Government Study the northern part of Dereham is

clearly more closely linked to Woodstock and Ingersoll than to Tillsonburg).

In these circumstances, serious thought had to be given to the possibility of recommending one of two courses of action: either the creation of a completely new Tillsonburg-centred municipal unit, separate from the Haldimand-Norfolk region but including part of the present County of Norfolk; or including the Tillsonburg "community of interest" in the Haldimand-Norfolk region.¹

Both possibilities, however, posed several problems, of which the following is only a summary. In either case, without greatly extending the scope of the Study there would be difficulties both in determining appropriate boundaries (especially with the uncertainties related to the prospective Dofasco development) and in establishing the effects of such a proposal on the Counties of Elgin and Oxford. The "western five" municipalities of Norfolk (Middleton, North and South Walsingham, Houghton and Port Rowan) have clearly stated in separate and collective briefs their desire to remain with the rest of their county, while on the other hand there is no evidence in the neighbouring Oxford and Elgin townships of any eagerness to join Haldimand-Norfolk.

I can therefore only recommend that the *status quo* be essentially maintained for the present, awaiting a more comprehensive review, but as the *status quo* is clearly irrational by most objective criteria I would qualify this recommendation in several ways.

First, the situation should be thoroughly re-examined when the proposed second review of the Haldimand-Norfolk area is carried out, and earlier if possible

¹A submission was received from the Oxford Area Local Government Study, unfortunately too late to be taken into consideration in examining the alternatives for this area. I would in any case regard it as beyond the proper scope of the Haldimand-Norfolk Study to consider the recommendation of the OALGS that the County of Oxford be enlarged to include western Norfolk, since this has ramifications extending well beyond the two counties and as such should be the subject of a more comprehensive review.

(recognizing that this would entail a study of municipal structure extending well into Oxford, Elgin and perhaps even Middlesex). Serious consideration should be given at that time to the creation of a separate new municipal unit including the entire Tillsonburg "community of interest" and the prospective Dofasco "impact area".

Second, following the submission of the present Report the affected municipalities in all three counties should be given the opportunity to reconsider their positions. Norfolk's "western five" in particular might wish to take note of the disproportionate share of regional taxes which they would have to bear within a Haldimand-Norfolk regional municipality due to their high per capita assessment (the same would apply, though, in the case of union with their neighbours in south Oxford and east Elgin). Certainly it would seem appropriate for all the municipalities in the Tillsonburg "community of interest" area to consider the issue, separately or jointly, and make their views known to the Government. If the results were to be a reasonable degree of consensus on establishing some form of political union immediately, either within or outside Haldimand-Norfolk, it would be my recommendation that the Government should give favourable consideration to such a step.

Third, on the assumption that a general restructuring in this area along the lines discussed will not take place in the immediate future, I recommend that the portion of Middleton that is essentially suburban to Tillsonburg be incorporated into that town.

North Norfolk. There are indications that the northern portions of the present Townships of Windham and Townsend are oriented to Brantford rather than to Simcoe. Since the area concerned is entirely rural and the population small, the studies available to me are inconclusive and the evidence largely circumstantial and subjective. I therefore do not now recommend any change in the Norfolk-Brant county line. On the other hand, I would respectfully draw this matter to the attention of the Brant Local Government Review Commissioner, with the suggestion that if it could be con-

sidered early in his review any changes he thought appropriate might be effected at the time of the establishment of the Haldimand-Norfolk Region.

Indian Reserves. The present Brant-Haldimand county line cuts through the Six Nations Reserve, leaving a small portion of it, together with part of the New Credit Reserve, in Haldimand, while the greater part of both Reserves is in Brant. As pointed out in Stelco's submission to the Study (p. 33), "Historically the position of Indian Reserve lands in relation to County or local municipal boundaries has not been important but, if Indians are not to be denied future opportunities to participate readily in the governmental arrangements provided for local communities within Ontario, their territorial locations in relation to both regional and local municipal boundaries should be rationalized as part of the regional government reform. So long as the Reserves are not part of the municipal structure, the change to rational form is of no effect. If they become part of the structure eventually, the preparatory changes will assume considerable importance."

I agree in principle, and tentatively recommend that the entire Six Nations Reserve be included in Brant County. However, because the Village of Hagersville is on the boundary of the New Credit Reserve, it seems likely to be more in keeping with future development to retain the present division of this Reserve, rather than extend the boundary of Brant County to include all of it as well, and I tentatively recommend accordingly. I use the word "tentatively" here because I believe it to be of the greatest importance that the two Band Councils be consulted on this matter before any final decision is made, and that their views be given great weight.

The Caledonia Area. Caledonia is in the northern corner of Haldimand and only about nine miles by four-lane highway from the city limits of Hamilton. Inevitably, it seems strongly oriented towards Hamilton in terms of employment, shopping, entertainment, etc. In a brief to the Steele Commission the City of Hamilton recommended the inclusion of the Caledonia area in the new structure

of local government for Hamilton-Wentworth-Burlington. This was strongly opposed by the County of Haldimand, and the Commission concluded that the issue was not clear-cut and that therefore no departure from the existing county boundary should be recommended pending the completion of the present Study.²

The Haldimand-Norfolk Study has received no submission from Hamilton, nor unfortunately, from the Town of Caledonia itself (through one private submission was received from Caledonia). The submissions from the County of Haldimand and the Township of Oneida do not so much recommend as assume that the Caledonia area will not be detached. The information available to me is not substantially different from that available to the Steele Commission. The situation now, however, is different in two significant respects from that in 1969.

First, the objection of the County of Haldimand to the Hamilton proposal was based largely on the proportion of the county's area, population and assessment that would be lost – respectively 10.4 per cent, 16.8 per cent and 15.3 per cent. If, however, the area, population and assessment are related to those of Haldimand and Norfolk together, they become much less significant: approximately 4.3 per cent, 6.1 per cent and 5.4 per cent respectively. (This uses the 1968 figures given in the Haldimand submission to the Steele Commission, which in turn were based on Hamilton's proposals. If the area concerned were smaller than that defined in the Hamilton submission, the proportions would of course be further reduced.)

Second, since the publication of the Steele Report the Federal Government has announced plans for expansion of Hamilton's airport at Mount Hope, only six miles from Caledonia. There can be little doubt that Caledonia is already in part a residential satellite of Hamilton, and this character will probably in any

²Hamilton-Burlington-Wentworth Local Government Review, *Report and Recommendations*, November 1969, pp. 57ff.

9.3 The Local Municipalities

case become much more pronounced before the "pull" of Nanticoke becomes sufficiently strong to begin to counter-balance it. This trend is likely to be reinforced by the expansion of the airport, which will almost certainly stimulate growth in the Caledonia area. The incoming population resulting from employment in Hamilton or Mount Hope will be oriented northward and will thus tend to bring Caledonia within Hamilton's sphere of influence even more rapidly.

One argument against extending the proposed Municipality of Metropolitan Hamilton to include the Caledonia area is that the lower Grand River would then flow through three regional/metropolitan municipalities (assuming that Brant acquires a regional government) instead of two. It would be preferable to avoid this, but I cannot regard it as a serious objection in view of the important roles of the Grand River Conservation Authority and the Ministry of the Environment in managing the river.

Consequently, I recommend that Caledonia and the adjacent portions of Oneida and Seneca Townships become part of the proposed Municipality of Metropolitan Hamilton, but that the area concerned be reduced from that defined by the City of Hamilton in its brief to the Steele Commission. If the Regional Municipality of Haldimand-Norfolk comes into existence before the Municipality of Metropolitan Hamilton, it might be best for the Caledonia area to be annexed to the Township of Glanford as an interim measure; but from this point of view it would obviously be desirable for the regional municipality and the metropolitan municipality to come into existence simultaneously.

The only part of the outer boundary of Haldimand-Norfolk which did not seem to justify any close examination is that between Haldimand and the Regional Municipality of Niagara. Like most political boundaries, this one is somewhat arbitrary, but there are no obvious pressing reasons to consider altering it at the present time, and no suggestions (from either side) for doing so. At the same time it would clearly be preferable

to leave the boundaries of the Regional Municipality of Niagara, less than three years old, undisturbed for the present at least unless there is good reason to do otherwise. In my opinion the question should be considered in a broader context at the time of the proposed second Haldimand-Norfolk review rather than minor adjustments being made now.

In summary, then, the boundary of the proposed new regional municipality follows the outer boundaries of the Counties of Haldimand and Norfolk with the exceptions listed below. Of these exceptions, the first two are firm recommendations, while the other three are conditional. The proposed changes in the present county boundaries are:

- a) Annexation of part of northwestern Middleton to Tillsonburg.
- b) Transfer of the Caledonia area to the proposed Municipality of Metropolitan Hamilton.

The following further changes could be effected subject to the conditions noted:

- c) Extension of Brant County to include the whole of the Six Nations Indian Reserve, subject to consultation with the Six Nations and New Credit Band Councils.
- d) Separation of the five westernmost municipalities of Norfolk to form a new municipal unit with parts of Oxford and Elgin Counties, or alternatively, inclusion of the latter in the new Haldimand-Norfolk regional municipality provided that a consensus among the affected municipalities is arrived at in time to be incorporated in the Government's final plans for the new Haldimand-Norfolk municipality.
- e) Transfer of the northernmost portions of Windham and Townsend Townships to Brant County if studies by the Brant Local Government Review indicate that this would be appropriate.

In arriving at proposed boundaries for the local municipalities there were four main considerations.

First, as discussed in Section 8.3, the lower-tier units should be relatively large and therefore few in number. *Design for Development, Phase Two* suggests a minimum population of 8,000 to 10,000.³ In view of the considerations discussed in Section 8.3 it seems desirable to establish a minimum population somewhat higher. This indicates that the number of local municipalities (leaving out of account the possible inclusion of parts of other counties) should be perhaps six to eight, but no more than eight.

Second, as far as possible the new units should correspond with historic identities, communities of interest and the expressed wishes of the people and their elected representatives. This involves taking into account existing municipal boundaries and the desirability of changing them as little as possible, together with the results of LOIS and the views expressed at public meetings and in written submissions.

Third, the new units should be so defined as to be readily adaptable to future restructuring; in other words, they should be capable of being reassembled more or less intact into new regional structures in the future if necessary. It is, of course, impossible to foresee the exact form of these new structures, so in this case one can only be guided by judgement. But, as discussed in Section 6.4, it is reasonable to assume that the future "fracture lines" will tend to run north-south, separating the tobacco-growing (and perhaps increasingly Dofasco-oriented) western part of the region from the industrializing and urbanizing "core area" centred on Nanticoke, and the latter in turn from the eastern end, which will probably be less affected by industrial and urban growth for the foreseeable future.

Finally, it is desirable that the new local municipalities should if possible have roughly equal per capita assessment in order that each should bear a reasonably

³See Section 5.1 of this Report.

equitable share of the total cost of regional government. It is also desirable that their absolute populations and assessments should, at the start, be roughly comparable so that no single local municipality will be either excessively "strong" or notably "weak" in relation to the regional structure as a whole. (Such even distribution can, however, be only temporary as it depends on the future pattern of development. Unless future development is dispersed throughout the region, which would be completely contrary to sound planning policy, population and assessment will inevitably grow faster in some areas than in others.)

Naturally, it is impossible to meet all these criteria to perfection, and the inevitable compromises produce results that are a little arbitrary in some cases. On the whole, however, the following seems to provide a reasonable balance among the various criteria. (The names applied to the six units are for convenience of reference only; it is recommended that the actual name of each be determined by the councils of the existing municipalities to be included within it.)

a) *Municipality of West Norfolk*, comprising the Townships of Houghton, Middleton, North and South Walsingham, and the Village of Port Rowan. Boundary alterations: a portion of northwestern Middleton to be annexed to Tillsonburg (see Section 9.1) and a portion of eastern Middleton to be included in the Municipality of Central Norfolk (see below).

The solidarity of these five municipalities has been clearly demonstrated by their joint and separate submissions (supported by that of the Langton Women's Institute). Economically, socially and historically they have a great deal in common. In a future restructuring they would jointly form a rational bloc to be severed from Haldimand-Norfolk to form part of a new municipal unit oriented to Tillsonburg and Dofasco, if this were determined to be appropriate. Their combined population (1971, present boundaries) is about 11,700. The proposed new unit therefore meets all four criteria remarkably well, with one fairly important exception: at \$10,878, its per

capita assessment is appreciably higher than the mean for the region, which would leave it to bear a somewhat disproportionate share of the general costs of regional government, at least for a time.

(It should be noted that if the Haldimand-Norfolk region should be extended into Elgin and/or Oxford Counties from its inception to include the Tillsonburg "community of interest", a complete reconsideration of the boundaries of the local municipalities at its western end would be necessary.)

b) *Municipality of Central Norfolk*, comprising the Townships of Charlotteville and Windham and the Town of Delhi. Boundary alterations: inclusion of part of Middleton; the southeastern portion of Windham and the northeastern portion of Charlotteville to be included in the Municipality of Simcoe (see below).

This is a rather more arbitrary unit than West Norfolk, but shares a common economic base of tobacco and fruit.

In a joint submission, the councils of these three municipalities also have recommended their fusion as a local municipality in a two-tier region, a fact to which I must attach considerable weight. Their combined population of approximately 15,000, although well above the suggested minimum, is not disproportionately large.

It is recommended that a portion of Middleton be included to allow for Delhi's growth but more particularly to bring outlying subdivisions and Delhi's water supply sources within the corporate limits of the new local municipality. Similarly, it is recommended that Simcoe be given expansion space from Windham.

It is not possible to foresee the effect of a future restructuring on Central Norfolk with any certainty. The whole municipality could well remain with those to the east, but a split into eastern and western halves must be considered a possibility.

c) *Municipality of Nanticoke Creek*, comprising the Townships of Townsend, Walpole and Woodhouse, the Towns of Port Dover and Waterford, and the Village of Jarvis. Boundary alterations:

portions of Townsend and Woodhouse adjacent to the Town of Simcoe to be included in Simcoe; a portion of Walpole adjacent to Hagersville to be included in Central Haldimand (see below).

This local municipality, including parts of both of the present counties, is designed to take in the whole of the main "impact area" of the industrial developments at Nanticoke. The reason is partly to keep the industries which provide tax surpluses and the residential developments which create tax deficits within the same local municipality; but in view of the relatively small financial responsibilities of the local municipality under the proposed scheme, this is not as important a consideration as it would normally be. Industrial and residential development are, however, so closely related in a functional sense that it would be illogical to separate them politically; it is only rational that the entire complex be included in a single political entity which can remain essentially intact in any future restructuring.

This objective has been emphasized by the Steel Company's submission (p. 26), which recommends that the new boundaries should include areas of likely future growth. It has also been recognized by the councils of Port Dover, Jarvis, Walpole and Woodhouse, which in a joint submission advocated the amalgamation of the four municipalities. It has been accepted too in effect by the County of Haldimand, in its proposal that Port Dover and the eastern portion of Woodhouse be included in that county. Both municipal briefs, however, overlook the fact that the Nanticoke "impact area" will certainly extend into Townsend and that even Waterford is less than half an hour's drive from Nanticoke—well within commuting distance; it is therefore recommended that these two municipalities be included in the proposed Municipality of Nanticoke Creek.

The inclusion of the Town of Simcoe also was considered but rejected, partly on the grounds that the new local municipality would in any case be substantially larger in population (approximately 20,000) than any other, and with Simcoe as well it would have well over a third of the people of the region to start with. There are, however, other reasons for

excluding Simcoe, which are discussed below.

The inclusion of Hagersville was also considered. Its proximity to Nanticoke (15 minutes' driving time) argues strongly for making it part of the proposed new municipality, and I am recommending otherwise mainly to maintain a somewhat better allocation of population and assessment. The issue is, however, far from clear-cut.

d) *Municipality of Simcoe*, comprising the present Town of Simcoe together with portions of the present Townships of Windham, Townsend, Woodhouse and Charlotteville.

As mentioned above, I considered recommending that Simcoe be incorporated into the Municipality of Nanticoke Creek but rejected the idea partly to avoid "overweighting" that municipality in relation to the others. There are, however, other reasons. Simcoe is by far the largest town in the two counties, nearly twice the size of Dunnville, its nearest rival. Within its present corporate limits its population is already greater than the suggested desirable minimum for a local municipality. There is little doubt that a large proportion of the industry-related population increase that will occur in the region during the next ten to 15 years will go to Simcoe, and it is not unreasonable to expect a doubling of the population of the Simcoe urban area to 20,000 or more in that time. All this argues that Simcoe should be regarded in a rather different light from the smaller towns and villages of Haldimand-Norfolk and should be a distinct local municipality rather than a politically undifferentiated but physically and economically anomalous portion of a larger unit which will remain predominantly rural for a long time.

This recommendation may seem to be at variance with the concept advanced in *Threshold of Change: (1) Land and Development*, that Simcoe will eventually be a part of a single urban complex embracing the proposed new town. But it must be remembered that the development of the new town will not start for some time, and when the new local government review is carried out it will probably still be physically quite distinct from Simcoe. Thereafter, I would expect

Simcoe and the new town to become parts of a single municipal unit (see Section 16.2).

e) *Municipality of Central Haldimand*, comprising the Townships of Oneida, Seneca, North and South Cayuga, and Rainham, and the Villages of Cayuga and Hagersville. Boundary alterations: inclusion in the township of part of Walpole adjacent to Hagersville; the northern portions of Seneca and Oneida, together with the Town of Caledonia, to be included in the proposed Municipality of Metropolitan Hamilton.

Like Central Norfolk, this must be conceded to be a somewhat artificial construction in present circumstances; though with the addition of Hagersville and Rainham to offset the loss of Caledonia and parts of Seneca and Oneida, it corresponds with one of the local municipalities proposed by the Haldimand County Council in its submission. Considered in relation to long-term development possibilities, it is actually less artificial than it may seem, because it embraces the area which seems best suited to the next phase of major urban and industrial growth following initial large-scale development in the Municipality of Nanticoke Creek.

f) *Municipality of East Haldimand*, comprising the Townships of Canborough, Dunn, Moulton and Sherbrooke and the Town of Dunnville. Boundary alterations: none recommended, though on the basis of LOIS a case could be made for shifting the boundary of this local municipality somewhat to the west; this possibility

might be examined by the Haldimand members of the Joint Study Committee.

This recommendation otherwise requires little comment, as there seems to be general acceptance of the appropriateness of amalgamating these five municipalities. My only observation is that in later restructuring the circumstances of the time would determine whether East Haldimand should remain linked with Central Haldimand and Nanticoke Creek, or perhaps alternatively be separated to form a new municipal unit including part of the present Regional Municipality of Niagara.⁴

Table 3 summarizes the main characteristics of the six proposed local municipalities. Figures (1971) are approximate only, due to the proposed boundary changes.

⁴See Section 16.2.

Table 3. Proposed Local Municipalities: Area, Population, Assessment — 1971

	Gross Area	Population	Equalized Taxable Assessment	Assessment Per capita (mean)
West Norfolk*	178,786	11,670	\$126,956,497	\$10,878
Central Norfolk*	130,791	14,838	141,677,883	9,548
Nanticoke Creek*	167,660	18,932	164,718,398	8,700
Simcoe*	5,454	12,050	122,878,088	10,197
Central Haldimand*	152,799	10,828	95,129,456	8,785
East Haldimand	71,140	11,048	81,970,130	7,419
Region	706,630	79,366	\$733,330,452	\$ 9,239

*Figures adjusted to coincide with recommended boundary changes.
Source: January 1972, assessment returns.

9.4 Municipal Restructuring and Non-Municipal Functions

The regional municipalities so far established have not cut across old county lines to the extent proposed in this Report, which recommends that one local municipality (Nanticoke Creek) should include parts of both of the present counties in addition to alterations in the Tillsonburg and Caledonia areas. This presents certain problems in relation to functions which will presumably continue to operate, at least temporarily, on the old county basis, principally, education, the administration of justice and land registry.

These problems do not, however, appear to be insuperable, and it may be best to live with them for a time. The recent statements by the Premier and the Provincial Treasurer (*Design for Development, Phase Three, June 1972*) states that the Government of Ontario "is to develop a new provincial map of local government in Ontario", and suggests that this map may well depart from the historic county boundaries in some parts of the province. Since presumably in some cases the same problems will arise as in Haldimand-Norfolk, it is to be assumed that the Government will establish a general policy for dealing with them. Therefore it seems preferable to await such a policy, provided that it is not too long delayed, rather than make changes in administrative areas now only to find that they were again altered within a few years. It would be desirable, however, for the boundaries of the areas of jurisdiction of the boards of education to be made coterminous with those of the regional municipality.

10.1 Principles

The proposed distribution of municipal responsibilities between the local and regional councils is strongly influenced by two considerations already discussed in Chapter 8: the problem of securing the operating economies which are one of the main purposes of municipal reform, with a relatively small total population and assessment;¹ and the imperative need for strong central planning and control of development in view of the forthcoming pressures on land. The latter consideration, it must be pointed out, has implications extending beyond the statutory duties of a planning board. If planning is to be undertaken and plans implemented as efficiently and effectively as possible, then the main instruments of development – transportation, water supply and distribution, sewage disposal and the promotion of economic growth – must be under the control of the authority responsible for planning, and physical planning must in turn be closely integrated with financial planning and budgeting.

Three other considerations helped to decide the specific recommendations. One is elementary in principle: a particular task should be a regional or local responsibility, other things being equal, according to whether it is essentially regional or local in scope. Unfortunately the distinction is not always clear in practice. It can hardly be argued that the collection of garbage is other than a purely local concern, but a public library, for example, can be seen either as a facility serving a particular community or as part of a system of region-wide library facilities. Parks illustrate the difficulty in a slightly different way. According to its size and the amenities it provides, a park may serve a few score families in its immediate vicinity, or many thousands from the entire region and beyond; and there is no way to tell precisely at what point a “local” park becomes “regional” – is Simcoe’s beau-

tiful park system purely a “local” facility or not?

The fourth consideration is also straightforward in principle but not always easy to apply in practice: that a responsibility should preferably lie at the level at which it can be exercised most efficiently. The problem here is that this principle is not always compatible with the preceding one. To give examples again, the licensing and control of dogs cannot reasonably be considered a matter of regional concern, and it is a job which can be done perfectly adequately at the local level. On the other hand, building, plumbing and septic tank standards should be uniform throughout the region (at least), but control and inspection are likely to be carried out more efficiently through the local municipality.

These practical difficulties call up a fifth principle: that there cannot be a completely hard and fast line between regional responsibilities and their administration on the one hand, and local responsibilities and their administration on the other. There must be some flexibility, some integration, and even some sharing of tasks.

This leads to the general recommendation that the regional municipality and the local municipalities should establish regular procedures for the exchange of information and for mutual consultation. Specifically, it would be desirable for the local municipalities to be informed of every proposed regional by-law (and *vice versa*), and be given sufficient time to comment before the by-law receives third reading. This may seem an unnecessarily cumbersome arrangement, but it need not be so if routine procedures are established for the purpose, which would not be difficult.

The roles of the two tiers of municipal government will relate to each other in several different ways according to specific functions, as the recommendations in the next section will show. A particular municipal function may be:

related thereto;

- a regional responsibility which may be carried out (by agreement) wholly or partly by the local municipalities;
- similar responsibilities held (on equal terms) by both the regional and the local councils;
- a local responsibility whose exercise is subject to the approval of the regional council;
- a local responsibility which may be assumed, wholly or partly, by the regional council;
- a local responsibility which may be carried out (by agreement) wholly or partly by the regional municipality; or
- a local responsibility exclusively.

The legislation should clearly distinguish the responsibility for functions in line with these eight categories.

On two counts this range of variation must be regarded as undesirable: it does not seem conducive to optimum efficiency, taking municipal operations as a whole; and it will inevitably leave the ordinary citizen confused as to just who is responsible for what, to the detriment of the comprehensibility and clarity which I regard as a vital feature of local government. But with a two-tier system it can be avoided only by assigning each responsibility to one tier or the other exclusively; and in many instances this would be quite arbitrary and would mean that some municipal functions could not be carried out as effectively, as efficiently or as fairly as they should be.

¹It is worth noting that despite the expected rapid growth, the total population of the region at the time of the proposed second review would only be about the same as the present population of the smallest existing regional municipality, not counting the District Municipality of Muskoka.

10.2 The Allocation of Responsibilities and Functions

10.2.1 Administration

Most of the tasks involved in the general administration of a municipality would of course have to be carried out at both levels. This includes the general responsibilities of a municipal clerk together with such more specialized matters as accounting, legal services, personnel relations and purchasing. It would seem sensible, however, to establish cooperative arrangements wherever possible, particularly in areas requiring specialized professional expertise or costly equipment. For example, if the regional council employed a solicitor on a regular basis, arrangements might be made for him to act as legal advisor to the local municipalities (except where a conflict of interest might arise); common accounting practices should be followed by all municipalities, regional and local, and it might prove advantageous for regional accounting machinery to be used by the local municipalities; and it would almost certainly be most economical for supplies to be standardized and all purchasing to be carried out through the regional administration.

Table 4. General Allocation of Municipal Responsibilities
(for detailed description see text)

	Regional	Regional, subject to local rights	Regional: may be carried out wholly or partly by local municipalities	Local and regional	Local, subject to regional approval	Local, subject to right of regional council to assume	Local: may be carried out wholly or partly by regional municipality	Local
ADMINISTRATION								
General; purchasing; personnel; legal; accounting				•			•	
Election administration								•
"Static" business licensing								•
Other licensing	•							
Collection of fines			•					•
FINANCE								
Financial plan and budgeting				•				
Property taxation; tax billing; capital borrowing	•							
PLANNING AND DEVELOPMENT								
Official plans; zoning, consents (severances); subdivision control; industrial and commercial development		•						
Minor zoning variance								•
Urban renewal					•			
Rural development					•			
PUBLIC WORKS, UTILITIES								
Water supply, distribution; sanitary, storm, trunk sewers; sewage treatment; garbage disposal	•							
Supply of electricity to consumers; street cleaning; garbage collection; land drainage								•
New or extended drainage schemes					•			
Lighting, construction, maintenance of sidewalks on local roads and streets							•	
Lighting, construction, maintenance of sidewalks on regional roads		•						
TRAFFIC AND TRANSPORTATION								
Construction, maintenance and traffic control, regional roads	•							
Construction, maintenance and traffic control, local roads and streets						•		
Off-street parking								•
Public transportation				•		•		
PUBLIC PROTECTION								
Police; emergency measures; coordination of fire protection	•							
Enforcement of regional by-laws (other than building and related by-laws)	•							
Enforcement of local by-laws							•	
Fire protection								•
HEALTH, SOCIAL SERVICES, HOUSING								
Public health; pollution control; child and public welfare; care of indigents; public housing; homes for the aged	•							
RECREATION, COMMUNITY FACILITIES, CONSERVATION								
Parks; community and recreation centres and programmes; grants for above				•				
Conservation	•							
Libraries								•
MISCELLANEOUS								
Building and related by-laws and standards	•							
Building and related by-law enforcement, inspection, permits			•					
Animal control; nuisance abatement; maintenance of cemeteries; etc.								•
PUBLIC INFORMATION	•							

Since elections would be carried out at the level of the local municipality, however (see Chapter 11), it follows that the administration of elections would be entirely local.

A good case can be made for the centralization of all business licensing at the regional level. I believe, however, with a number of urban communities, it would be appropriate for the licensing of "static" businesses, such as barbers or places of amusement, to remain the responsibility of the local council. But this would be absurdly inconvenient for businesses which operate, or may wish to operate, in more than one local municipality, such as builders or taxi firms; and these should be licensed by the region.²

The collection of a fine may arise through the infraction of either a regional or a local by-law, but rather than having such fines handled separately it would seem sensible to have all fines collected by the local municipality subject to an arrangement with the region (perhaps a percentage of the fines) to offset the administrative costs.

10.2.2 Finance

Financial planning and budgeting will be a very important responsibility of both levels of municipal government, but particularly for the regional council, where it should be closely integrated with physical planning.

It is arguable that in the case of Haldimand-Norfolk the consolidation of all capital borrowing in the hands of the regional council is not likely to improve debenture sale terms from the viewpoint of the individual local municipality. But this is at least uncertain, and so large a proportion of the total capital costs of municipal government in Haldimand-

Norfolk will be a regional responsibility that I see no case for departing from what has become standard practice, and I recommend, with the concurrence of the Joint Study Committee,³ that capital borrowing be a regional responsibility.

On the other hand, with regard to property taxation and tax billing, I am inclined to favour a departure from standard practice. In the existing regional municipalities and in Metropolitan Toronto taxation of property and tax billing are carried out by the local municipalities, which contribute by way of levies to the costs of the regional or metropolitan government. In the case of Haldimand-Norfolk I feel this would be unsound on two counts. First, from a purely practical point of view it would seem more efficient (again bearing in mind the relatively small total population and assessment) to centralize the entire taxation and tax-billing operation, including the necessary data-processing machinery. Second, regional tax-billing would more accurately reflect the actual "split" of municipal costs, by far the greater share of which would be regional. I therefore recommend that the usual practice be reversed: that the region take responsibility for property taxation and tax billing, with the necessary sum to cover local costs, according to the budget struck by the local council, apportioned *pro rata* (together with school taxes) over the tax bills in each local municipality.

10.2.3 Planning and Development

My general position here has already been stated in Section 8.2 and need not be repeated. I wish to emphasize again that in the circumstances confronting Haldimand-Norfolk, strong, centralized planning is absolutely essential, and the inefficiencies and potential conflicts inherent in a two-level planning structure cannot be accepted. (This does not mean that the local municipality should have no voice whatever in planning, a point which I shall return to shortly.) Similarly, the responsibility for preparing plans and the responsibility for adopting and implementing them must not be separated: in other words, responsibility for the planning function as a whole must

rest unequivocally with the elected council, not shared with an appointed planning board (and thus obscured). These same circumstances make the adoption of a regional official plan a matter of the utmost urgency. Haldimand-Norfolk has a head start in this respect compared to other new-born regional municipalities, since the basis of such a plan already exists in the companion report to this one, *Threshold of Change: (1) Land and Development*. The new regional council should take advantage of this to prepare a formal official plan as quickly as possible.

I therefore recommend that the entire region become a single planning area under *The Planning Act* with the regional council substituted for the planning board and that all existing planning areas and planning boards be dissolved. A regional official plan should be prepared within two years after the regional municipality has come into existence. Until then, all existing official plans and zoning by-laws would remain in effect unless replaced or amended by the regional council with the approval of the Minister or the Municipal Board as appropriate.

I further recommend that the control of land subdivision be exclusively a regional responsibility, and that (as in other regional municipalities) the authority to approve plans of subdivision be transferred from the Province to the regional council once a regional official plan has been approved.

The granting of consents (severances) is going to be a most important issue in the sound development of the region, and the minimum requirement is that this authority be transferred from local committees of adjustment to a regional land division committee. The adequacy of even this to ensure really effective control of severances is questionable, though, and I would strongly recommend that all consents, whether granted by committees of adjustment or by a land division committee, be subject to the approval of the regional council.

It is entirely consistent with my position on planning in general that the local

²In fact the purpose of licensing seems in many instances to be obscure and its value uncertain. The Ontario Committee on Taxation (Smith Report) recommends in Volume II, p. 332 that "the Department of Municipal Affairs review the legislation enabling municipalities to license or issue permits for a fee with the object of ensuring that the purpose of the licensing is regulatory rather than the raising of revenue." It is, however, questionable whether regulation is actually effected, or serves any real purpose, in all cases.

³Joint Study Committee, *Final Recommendations*, Sub-Committee No. 3, p. 1.

municipalities should be given some role in the process, and indeed I would think it thoroughly undesirable that they should not. I therefore recommend

i) that the regional council be required to give a local council at least 30 days' notice prior to the final adoption or amendment of an official plan, or passing of a zoning by-law, relating to land within or adjacent to the local municipality concerned;

ii) that the regional council be required similarly to give 30 days' notice before commenting on any plan of subdivision referred to it by the Provincial Plans Administration Branch prior to the approval of the regional official plan, and before approving a plan of subdivision thereafter;

iii) that a further 30 days be granted if requested before the end of the original 30 days by the local council;

iv) that the local council have the right within the 30 or 60 day period, to comment on or object to the measure before it is finally acted on by the regional council; and

v) that the Branch or the Municipal Board, as the case may be, be advised of the approval or objections of the local council when the by-law or the comments of the regional council are submitted.

I recommend that local committees of adjustment retain their functions with respect to minor variances of the provisions of zoning by-laws and similar matters.

My recommendations with regard to planning are open to the obvious objection that the local municipalities ought to have jurisdiction over detailed planning within the general framework of a regional official plan, *i.e.*, "secondary plans" and zoning. In the abstract, that is reasonable enough. In practice, however, it can and does lead to conflicts which could undermine the integrity and effectiveness of the regional plan. Furthermore, there is bound to be a substantial delay before a regional official plan is approved in any case, and the pace of events in Haldimand-Norfolk would create considerable dangers if the

regional council could exercise no effective control of development during that period. Also, as I have already pointed out, in a relatively small region faced with rapid growth, the dispersion of staff and financial resources among seven planning departments would not be rational. I believe that the interests of the local municipalities will be quite adequately protected, first, by their representation on the regional council and, second, by the rights which I recommend should be given them. My recommendations unquestionably assume that the operations of the regional planning department will be decentralized to the extent that members of its staff will be available to work in cooperation with the local municipalities on detailed planning within the general plan framework; otherwise, the department would not be doing its job properly. I do not dispute that there is a case for giving certain planning responsibilities to the local municipalities; but I firmly believe that in the circumstances of Haldimand-Norfolk the imperative need to ensure sound regional planning—which means that it must extend down to the local level—and to employ professional resources as effectively as possible, override these arguments.

Since industrial and commercial development must be closely integrated with planning in general, I recommend that the promotion of such development should be exclusively a regional responsibility. On the other hand, as some local municipalities will be much more concerned with rural interests than others, I recommend that matters relating to rural development (such as reforestation programmes) be a local responsibility, subject to general regional planning authority; that land drainage be subject to regional approval (see below, Subsection 10.2.4); and that rural development programmes may be carried out by the region under agreement between the regional council and the local council concerned.

Urban renewal is likewise a matter of much greater concern to some local municipalities than to others, and should therefore remain a local responsibility, again subject to regional planning con-

trols. It may well be argued that it is unsound to separate jurisdiction over urban renewal from jurisdiction over planning, and in principle I would agree. In practice, however, it seems unlikely that there will be any urban renewal projects of a nature and scale to be of regional concern before the new local government review is carried out, and regional control of land use should be adequate to safeguard regional interests in the meanwhile. If circumstances prove otherwise, it is open to the regional council to request legislation to give it jurisdiction over urban renewal; but the need is not likely to arise.

10.2.4 Public Works and Utilities

It has so far been the practice in established regional municipalities to divide the responsibility for water supply and sewerage between the regional and local councils, the former being charged with trunks and treatment and the latter with local distribution and collection systems. In Haldimand-Norfolk I believe that the entire responsibility should rest with the regional council, for three reasons. First, these services are so closely bound up with planning that it would hardly be reasonable to charge the regional council with the adoption of official plans and zoning by-laws while leaving the local council responsible for providing water lines and sewers. The second reason is one of simple economy of operation, already discussed in Chapter 8. Haldimand-Norfolk can justify only one properly manned engineering department, particularly considering that the Provincial Ministry of the Environment will play a substantial role in the planning and design of piped services. Finally, the locus of responsibility for these important services—in any case likely to be obscured by the Provincial role—should be as clear as possible to the public.

For consistency with the responsibility for rural development, and in conformity with the views of the Joint Study Committee,⁴ I recommend that land drainage remain a local responsibility, but that any new or extended drainage schemes be

⁴Joint Study Committee, *Final Recommendations*, Sub-Committee No. 5, p. 2.

subject to approval by the regional council as a precaution against the draining of wetlands that should be retained in the interests of conservation or the maintenance of streams.

The disposal of garbage and of wastes generally should be a regional responsibility in order to ensure the proper location and economical, efficient operation of disposal facilities, while street cleaning and garbage collection should be local. Responsibility for street lighting and the construction and maintenance of sidewalks should correspond with responsibility for the street or road itself (see below, Subsection 10.2.5), but it is suggested that works of this nature could be carried out under agreement between the regional and local councils.

The consensus of the submissions from the Joint Study Committee, the hydro utilities and the public utilities commissions is that the supply of electricity to consumers should continue to be the responsibility of local commissions. I am not here concerned with the commission issue (see below, Section 10.3) but with the question whether electricity supply should be a regional or local responsibility; and in the absence of any compelling argument that it should be regional, and on the assumption that the studies now being carried out by Task Force Hydro do not lead to a different conclusion, I accept the general view that the retailing of electricity should be a local responsibility, and so recommend.

10.2.5 Traffic and Transportation

I prefer to treat these under a separate heading rather than, as customary, lumping them together with public works and utilities, to emphasize that they should be treated as a single system very closely tied to land use planning. The corollary is that, in general, traffic and transportation should be a regional area of responsibility. For it to become so in practice immediately would, however, be distinctly premature.

The most obvious example relates to local streets and minor rural roads which for all practical purposes serve only the properties along them and which are therefore not of regional concern

(though they may become so). I recommend, therefore, that initially the regional council take over the responsibility only for the present county roads, together with traffic control devices along them, but that it have authority to assume any local road or street at any time. The designation of regional and local roads along with the debts belonging to them should be carried out prior to preparing the first year's budget. Consideration should also be given to the transfer of certain Provincial highways to regional jurisdiction, specifically Highway 54 and the portion of Highway 6 west of Port Dover, which are essentially intraregional roads.

Once both tiers of local government split some areas of responsibility, coordination of programmes between them is essential. With some roads remaining local concerns, for instance, yet all piped services being the responsibility of the region, there is a serious risk of unnecessary and costly conflicts; for example, the region might decide to lay down new sewers under newly paved local streets. In order to avoid such occurrences the local municipality should be required to prepare yearly road improvement programmes and advise the regional council of them.

Off-street parking is not generally thought of as part of a transportation system, but in fact its availability (or otherwise) and cost can have a substantial effect on the choice between the private car and public transportation. But in the present circumstances of Haldimand-Norfolk this is not a very relevant consideration, nor is it likely to become so before the proposed new local government review; it is therefore recommended that off-street parking be a local responsibility.

At present, municipally-operated public transportation is non-existent in Haldimand-Norfolk, but this could easily change within the not-too-distant future. Any possibility of such transportation operating other than within and in the immediate vicinity of urban areas, however, is quite remote, and there is no reasonable case for making public transportation a wholly regional responsibility

from the beginning. It is therefore recommended that it be held by the local councils as well as by the regional council, but that the regional council should be empowered to assume it as an exclusive responsibility at its own discretion.

The power to "assume", however, may present a serious problem of equity. The regional council could, for example, take over a newly-established bus system in which the local municipality had invested a substantial sum. On the other hand, it might assume a losing operation and relieve the local municipality of a liability. It is therefore recommended that any dispute arising out of the assumption of a local public transportation service be resolved by the Municipal Board on appeal by either party.

10.2.6 Public Protection

So far it has been the usual practice to make policing a regional or metropolitan responsibility (the exception is Ottawa-Carleton, where the combination of a large central city and an extensive rural area creates rather special circumstances). The recommendations of the Joint Study Committee on this subject are somewhat ambiguous, apparently envisaging that the responsibility be regional but carried out by the Provincial Police.⁵ Such an arrangement might be possible, but I see no reason why Haldimand-Norfolk should not have a regional police force, which would absorb the present Norfolk County and local forces. In any case I recommend that the responsibility be regional.⁶

There is one precedent for the "phasing in" of regional policing. In general I am not in favour of "phasing in" arrangements because they extend the period of transition and the uncertainties associated with it, but I make no firm recommendation on this matter.

⁵Joint Study Committee, *Final Recommendations*, Sub-Committee No. 4, p. 3, and No. 5, p. 2.

⁶This is contrary to the recommendations of a report of the Ontario Police Commission (December 15, 1970). These recommendations, however, were based on financial considerations which are to a great extent irrelevant in the context of the establishment of regional government.

For the enforcement of local by-laws (such as parking restrictions) the local municipalities should have the right to hire enforcement officers or to enter into agreements with the regional council for the services of the regional police force.

On the other hand, the geographical size and largely rural character of the region argue against the unification of fire services, and fire protection should remain a local responsibility, leaving the local councils to decide between using full-time or volunteer forces, or some combination of the two. This is in accordance with the recommendations of the Joint Study Committee.⁷ It should, however, be a regional responsibility to ensure the necessary coordination of communications and arrangements for mutual assistance. It would seem reasonable for this function to be exercised by the Emergency Measures Organization, which should in any case be regional. Present legislation does not appear to allow this, and I would suggest that *The Emergency Measures Act* be reviewed with a view to giving EMO's a broader role with respect to emergencies generally rather than the somewhat narrow one to which they are confined by the present Act. This seems to be in keeping with the recommendation of the Joint Study Committee that "the emphasis be diverted more so to natural disasters, rather than civil defence."⁸ It may also be suggested that a continuing and practical responsibility would appear likely to enhance the efficiency and effectiveness of EMO.

10.2.7 Health, Social Services and Housing

This includes hospitals, public health and pollution control, ambulance services, child welfare, public welfare, care of indigents, all other social services, public housing, and homes for the aged. All of these should be regional responsibilities. Public health is already so in effect (through the Board of the Haldimand-Norfolk Health Unit). Hospitals, ambulance services, homes for the aged

and child welfare are now county responsibilities. The local municipalities are thus now responsible only for general welfare and for public housing.

There is a general feeling among the present local elected representatives in the two counties, reflected in the recommendation of the Joint Study Committee,⁹ that general welfare should remain a local responsibility. This is based mainly on the belief that local officials know the circumstances of welfare applicants and can judge whether an applicant "deserves" assistance or is merely a "free-loader". I feel compelled to comment that there seems to be far more concern among the present elected representatives and officials for eliminating the relatively small number of "free-loaders" from the welfare rolls than there is for ensuring that people in need are adequately helped. There also seems to be a prevalent belief, often obvious even if unstated, that any welfare recipient is a second-class citizen who is the beneficiary of a rather grudging charity, rather than a self-respecting person whose need for help from the public purse arises from misfortune and who may well feel degraded at the need to be "on welfare". These attitudes aside, I still cannot accept the arguments in favour of leaving welfare administration in local hands. Without in any way impugning those concerned, the welfare applicant is now at the mercy of persons unqualified in the field, whose decisions must inevitably be influenced to some extent by personal prejudices and, perhaps overmuch, by the desire to "keep welfare costs down". That a knowledge of the community and some acquaintance with the background of the applicant is helpful I do not deny, but I do not regard this as incompatible with regional responsibility and a regional social services department employing qualified social workers (see Chapter 13).

This is really the basic issue. A person, and still more a family, which has a problem requiring intervention or assist-

ance from outside, is very likely to need more than just a welfare cheque or the services of one specialized agency. Thus, all social and family services – general welfare, child welfare, (including the Children's Aid Society,)¹⁰ care of the aged, etc. – ought to be fully integrated within a single professionally directed and staffed department.

I therefore recommend that all health and social services, as listed above, be regional responsibilities.

10.2.8 Recreation, Community Facilities, Conservation

In general, this is an area of municipal responsibility which can be shared equally by the two levels. I see no reason to restrict the power to create and maintain parks, community and recreation programmes, to either the regional or the local councils, though coordination of such activities would obviously be desirable. As I have already pointed out, a recreation area (for example) may serve a small locality or a good deal of the province, depending on variety of characteristics, and there is no way of drawing a clear line between a "local" park, community centre, museum or whatever, and a "regional" one. I believe that all the municipal councils should be free to decide on and provide such amenities, and recreation programmes, according to what they themselves consider appropriate, and so recommend. This applies also to the making of grants to organizations for cultural and other purposes.

Conservation (the appointment of members to the Grand River and Long Point Region Conservation Authorities) should, however, be a regional responsibility.

Libraries present a rather difficult problem. The Joint Study Committee draws attention to the extensive cooperation among existing library boards.¹¹ The only other submission dealing with libraries (from the Windham Township Library Board) recommends that they be a regional responsibility, and in order to

⁷Joint Study Committee, *Final Recommendations*, Sub-Committee No. 4, p. 3, and No. 5, p. 2.

⁸Joint Study Committee, *Final Recommendations*, Sub-Committee No. 4, p. 3.

⁹Joint Study Committee, *Final Recommendations*, Sub-Committee No. 4, p. 1. There are, however, indications that the views of the Committee are not universally shared by the welfare administrators.

¹⁰As recommended in the submission of the County of Norfolk.

¹¹Joint Study Committee, *Final Recommendations*, Sub-Committee No. 4, and No. 5, p. 3.

secure a properly organized, staffed and equipped library *system* (as opposed to a number of local libraries with limited resources), I would normally support this. But since there are already extensive regional systems covering large geographic areas (under *The Public Libraries Act*), with Haldimand belonging to the Niagara, and Norfolk to the Lake Erie, Regional Library Board, it is questionable whether much would be gained by making libraries a responsibility of the regional municipality. I can only conclude that the issue is not clear-cut, and support the recommendation of the Joint Study Committee that libraries remain a local responsibility for the time being, pending further study. It would, however, be desirable that all libraries within the regional municipality should belong to the same regional library board.

10.2.9 Miscellaneous

Perhaps the most important item under this heading is the control of building, plumbing, septic tanks and related matters. Issuance of permits, inspection, and general enforcement of standards would best be handled by the local municipality, but on the other hand such standards should be uniform throughout the region for obvious reasons. My recommendation, therefore, is that the regional council be empowered and required to enact the appropriate by-laws, but that administration and enforcement of such by-laws, and of zoning by-laws, be delegable by agreement to local councils. Where this function is delegated, however, the regional council should exercise sufficient supervision to ensure that it is properly carried out; inadequate enforcement could be seriously detrimental to the effectiveness of the by-laws.

Also under this heading come various matters such as animal control, abatement of nuisances, and cemeteries, all of which I take to be clearly local responsibilities.

Finally, a function which I regard as most important but which will be fully discussed in Chapter 13: public information, which should be a regional responsibility.

In a two-tier system of municipal government there are two basic methods of electing the regional or metropolitan council. The direct method involves the election of the local and regional councils quite independently of each other, as with the provincial and federal legislatures; under the indirect method, the regional council is made up of members of local councils.

There are strong arguments in favour of the former method. In a regional council made up of members drawn from local councils there is inevitably an inclination towards parochialism, a tendency to think in terms of the interests of the local municipality rather than those of the region as a whole. Perhaps more important, I believe that the principles of democratic government are best served by the direct election of representatives to specific positions in which they can be held to account by the voters for the exercise of specific responsibilities.

On the other hand it must be recognized that the limited Canadian experience with direct election to "upper-tier" councils has not been encouraging, and that the system of indirect election seems more likely in practice to promote cooperation between the two tiers of municipal government. Indirect election is employed in Metro Toronto and all existing regional governments in Ontario, though the council of the Regional Municipality of Niagara includes some directly elected members as well.

I therefore recommend a system of election which is a form of compromise between the direct and indirect systems, in that all members of the regional council would be elected thereto, but also elected to a local council at the same time. The scheme would work in this way. Each local municipality would have a mayor and a reeve (deputy mayor), elected as such, both of whom would be members of the regional council *ex officio*. The councils of local municipalities over a certain population would be enlarged, with the added local councillors also sitting on the regional council. These additional councillors would be *explicitly* elected to sit on *both*

councils. Thus the would-be municipal representative could choose to run for the position of mayor, reeve, member of both local and regional councils, or member of the local council only, while the voter would knowingly be voting for representatives to both regional/local and local-only positions.

Under the alternative representation formulae which I recommend the regional council would at first have no more than a small number of "regional/local" councillors, with others added gradually so that the system could "work in" slowly.

The precise arrangements which I recommend are designed to make the transition to regional government as painless as possible by giving all local municipalities roughly equal representation on the regional council at the beginning, while allowing the composition of the regional council to change over time to reflect the changing distribution of population. (The problem of devising a satisfactory representation formula is greatly simplified by the fact that at present the population of the region is fairly evenly distributed, and the differences among the population sizes of the proposed local municipalities, though substantial, are not grossly disproportionate. This will inevitably change as time goes on.)

On this basis I recommend that:

- i)* Each local municipality should have a "basic" council comprising a mayor, reeve (deputy mayor) and six councillors. In case of tie votes the head (or acting head) of council should have a casting vote.
- ii)* Each local municipality having an assessed population of 20,000 or more (Formula A), or alternatively of 15,000 or more (Formula B), should have one additional councillor for every 5,000 people (or fraction thereof) over 20,000, or 15,000, as the case may be.
- iii)* The additional councillors should be known as "regional councillors", and the position of regional councillor, like that of mayor and reeve, should be distinct from that of the other six local

councillors, though giving no different status from the latter on the local municipal council.

Under Formula A, the first regional council would have two members only (mayor and reeve) from each local municipality, to give a total membership of 12, plus the Chairman. Under Formula B, Nanticoke Creek would be entitled to one regional councillor in addition, and by the time of the first election Central Norfolk probably would also. This would enlarge the first regional council to 13 or 14, plus the Chairman.

To consider also the possible outcome of each formula by the time the local government system is again reviewed, I have made a very approximate estimate of the possible distribution of population in 1985, and this, with the 1971 populations and the consequent representation on the regional council for both years under both formulae, is shown in Table 5.

The main advantage of Formula A is that all local municipalities would be equally represented on the first regional council. Formula B, on the other hand, would adhere more closely to strict "rep. by pop.". I regard the advantages of the two formulae as more or less equally balanced, and recommend that the choice be left to the Joint Study Committee. I would point out, though, that under Formula A, Nanticoke Creek, which would initially be somewhat under-represented in relation to the less populous local municipalities such as Central

Haldimand, would be approaching over-representation by 1985, and I therefore stress again that the scheme assumes a new local government review and is not intended to be "permanent". The formula for representation will probably need revision by 1985, at latest.

It has been the invariable practice for the Chairman of the regional council¹ to be appointed initially by the Provincial Government and thereafter elected by the council itself. In principle I believe that if the Chairman is more than a figurehead (as he is), he should be popularly elected, but again I recognize that practical experience has not always supported this principle. I also recognize that the popular election of a Regional Chairman could be seriously divisive during a period of rapid population growth and economic and social change in one part of the region. I therefore recommend adhering to usual practice in the initial appointment and subsequent election of a Chairman.

The appointment of a Regional Chairman and the election of the new councils should take place with the least possible delay following the passage of the legislation establishing the regional municipality. This would allow an early start on such essential but time-consuming matters as the appointment of key personnel and the setting up of an administrative framework (see Chapter 13).

¹I use the term "Chairman" for consistency with current practice. I would suggest, though, that consideration should be given to retaining the traditional title of "Warden".

One last issue concerning representation is the use of the ward system at the local level. I believe the system to be desirable in large and populous municipalities, partly because their voters inevitably have difficulty in choosing from a long list of candidates "at large", about most of whom they probably know little or nothing, and partly because it ensures representation from all parts of the municipality. In the case of a relatively small municipality of ten to twenty thousand people these considerations do not apply to the same extent, and may be outweighed by the ability of the voters to choose those whom they think best from all available candidates. I see no basis for a firm recommendation either for or against the use of the ward system, and therefore recommend that the first elections be at large, with local councils free to adopt the ward system thereafter if they wish.

It will, however, be apparent that a "regional councillor" could not be elected by a ward system, nor should he, as he would be representing his local municipality as a whole on the regional council. Therefore, where a local municipality adopts the ward system, it should be divided into six wards, and the regional councillor(s) should continue to be elected at large.

Table 5. Representation on Regional Council
(Formulae A and B)

Initial						Assumed for 1985				
Local Municipalities (with recommended changes in boundaries)	1971 Population	No. of represen- tatives on regional council		No. of persons per representative		Population range — 1985	Maximum no. of represen- tatives on regional council		Range of population per representative	
		A	B	A	B		A	B	A	B
	West Norfolk	11,670	2	2	5,800	5,800	15,000-20,000	2	3	7,500-10,000
Central Norfolk	14,838	2	2	7,400	7,400	20,000-25,000	3	4	6,700- 8,300	5,000-6,200
Simcoe	12,050	2	2	6,000	6,000	25,000-30,000	4	5	4,200- 7,500	5,000-6,000
Nanticoke Creek	18,932	2	3	9,500	6,300	55,000-60,000	10	11	5,500- 6,000	5,000-5,400
Central Haldimand	10,828	2	2	5,400	5,400	15,000-20,000	2	3	7,500-10,000	5,000-6,700
East Haldimand	11,048	2	2	5,500	5,500	15,000-20,000	2	3	7,500-10,000	5,000-6,700
Total	79,366	12	13				23	29		

12.1 Boards and Commissions

Other local government reviews have generally condemned the propensity for delegating municipal responsibilities to special-purpose boards and commissions, and I share the views of their authors. I cannot make the case better than Dr. Stewart Fyfe in his report on the Waterloo Area Local Government Review (p. 163). After questioning the capacity of small municipalities to provide needed services, Dr. Fyfe writes:

"The second manifestation of fragmentation of the power to act and of responsibility is the proliferation of boards and commissions. That they perform important work and are well staffed is beyond doubt, as is the hard work and good intentions of the members of the various boards. This [Fyfe] Report has dealt elsewhere with the problems raised by the existence of so many boards in terms of divided responsibility, of erosion of the capacity of the council to act on behalf of the whole community, of the impediments to mobilizing the resources of local governments, of the duplication of staff and equipment. Their existence is prime evidence of lack of trust in the time-tested political institutions, for which too often there have been good grounds. Very often, however, the establishment of a special body has brought short-run advantages in terms of particular activities, but long-term disadvantages for the general good, for it has delayed or made more difficult longer-term solutions of more general benefit.

"The reasons for establishing a special board are those of special pleading—that the particular service needed special procedures and financing, or that the municipality's area of jurisdiction was inappropriate. On the other hand, a proliferation of special arrangements can only result in a breakup of the whole, and such special arrangements as are made, even though few, clearly are in conflict with the municipal structure, and should be subject to periodic review to ensure that their special status is still justified."

To these arguments I would add two others (also raised by Dr. Fyfe). One is the principle of accountability. A member of a board or commission is responsible for some function which is presumably meant to be carried out in the public

interest and which is financed with public funds; yet he is not directly accountable to the public, and cannot be replaced by public vote, because he is appointed to his office. I consider this to be entirely wrong in principle, and experience has shown that it can have thoroughly undesirable results in practice—though I do not suggest that this has so far been the case in Haldimand-Norfolk.

Another defect of the practice of delegating responsibilities to special-purpose agencies is that the systematic setting of priorities, and rational budgeting in relation thereto, becomes almost impossible, and the council becomes reduced in effect to the role of an *ad hoc* arbiter among a number of competing claimants for the tax dollar.

I believe that Dr. Fyfe's views on the vulnerability of boards and commissions to Provincial pressure should also be noted, though his case here is perhaps rather more debatable, at least in Haldimand-Norfolk. On the same page of his report he writes:

"In passing it should be noted that, on the whole, government departments prefer boards and commissions to councils. Lacking the same assured political position, boards and commissions are more easily subject to provincial suggestions and directions, and their procedures and programs can more readily be brought to conform with those of departments or branches than those of the municipalities. The boards or commissions sometimes become almost clients of the departments to which they look for funds, support, ideas and advice".

The question, then, is: which boards and commissions, if any, should be retained?

My general recommendation is that (apart from advisory committees; see Section 13.2) every special-purpose local board or commission in Haldimand-Norfolk be abolished and its responsibilities transferred either to the regional council or to the appropriate local council, unless a very convincing case can be made for its retention. In some cases this will present a legal problem in that some boards and commissions are

statutory agencies. I therefore recommend that the act establishing the new regional municipality provide that in such cases the regional council (or a committee thereof) be deemed to be the board or commission required by other statutes.

The following boards and commissions merit some specific comments.

Planning Boards. Discussed in Chapter 10.

Board of Health. I see no reason why the Board of the Haldimand-Norfolk Health Unit, composed mainly of municipal councillors in any case, should not be replaced by the regional council, and the Health Unit become a department of the regional municipality.¹

Hospital Boards. Hospitals can be considered as part of the system of "local" services only to a limited extent. In view of the major role, financial and otherwise, of the Province in planning and providing hospital services, and of the trend towards the integration of such services on a province-wide basis, it can be argued that municipal government should not be involved in hospital management at all. But hospitals, whether or not they constitute part of a broader system, unquestionably provide an important local service. Also, there seems to be a need for hospitals to be considered more in the general context of the total range of health and social services at the local and regional level than is now the case, and a need also for better integration of hospital role and need studies with regional planning in general.² I therefore recommend that the regional council be directly represented on the boards of hospitals within the region.

Some of the observations in Section 12.3 below, concerning schools, apply *mutatis mutandis* to hospitals as well.

Public Utilities Commissions. These provide perhaps the classic example of res-

¹As apparently envisaged by the Joint Study Committee: recommendations of Sub-Committee No. 5, p. 2.

²This does not take account of the reorganization of health services in Ontario announced by the Minister of Health on August 23, 1972.

12.2 Urban Service Districts and Urban Boards

possibilities which ought to be retained by municipal councils but which have been turned over to a special-purpose agency. Their only defensible function is the supply of electricity to consumers; this can perhaps be justified on the basis that it is a straightforward retailing operation which is unlikely to raise issues of municipal policy or decision-making. I therefore recommend that the local council be allowed either to carry out this function under its direct responsibility or to establish a PUC (or Hydro Commission) for the retailing of electricity, but that all other PUC functions be exercised directly by the municipality.

Police Commission. In keeping with the general policy of dispensing with boards and commissions where possible, the Chief of Police should be accountable to the regional council, not to a Police Commission.

Library Boards. Until the general issue of the future of libraries in the municipal structure is resolved (see Subsection 10.2.8 above) it would be inappropriate to make any firm recommendation as to the retention or otherwise of library boards specifically. They are, however, subject to my general recommendation that they be retained only if their existence can be fully justified.

Having taken a strong position against local boards and commissions, I may seem thoroughly inconsistent in recommending the creation of a new type of local board, and must therefore defend myself by pointing out immediately that the proposed body differs from a special-purpose board or commission in three fundamental ways: it would be concerned with a *range of services* for a particular community rather than with a *single* function throughout a municipality; it would not assume any municipal *responsibilities*; and, most important, it would be *elected*, not appointed.

The proposal is a modified version of the "community board" scheme discussed in Section 6.1. Alternatively, it can be regarded as an attempt to bring the police village up to date. The police village has generally, it seems, been written off as simply an anachronism, but I do not share this view, and it is not, apparently, shared by the police villages themselves, judging from the submissions received from the police villages of Fisherville and Selkirk. On the contrary, I believe that the inevitable growth in the scale of local government demands the introduction of new devices—or the renewal of old ones—to enable the small community (which may have a long history and a distinctive identity) to retain a degree of control over its own affairs; and this principle is embodied in the police village.

After the establishment of the new regional municipality there will be five local municipalities which will be predominantly rural in area, of which three will also be initially predominantly rural in population. But in those five there will be some two dozen urban places ranging from tiny hamlets like Teeterville, to Dunnville with over 5,000 people. Some of these are now incorporated towns or villages, some are police villages, and some have no distinct legal status at all. But all of them need, or will need, or may need or want, certain services or facilities not necessary or appropriate in purely rural areas, if only a hundred yards of sidewalk. It is reasonable to consider whether such services or facilities can be provided without necessarily

becoming a general charge on the entire municipality.

This concern was expressed in the submission prepared by the Steel Company (p. 11). It points out also that despite the minimum service standards applicable everywhere, differences and legitimate choices in certain services remain between built-up and rural areas.

There are already two ways in which these differences and choices can be expressed to a certain extent—through a local improvement by-law or through the "area rate" device—and I do not propose to eliminate either of these. But each has its limitations; the former is clumsy and applies only to a few services, while the latter depends on the decision of a municipal council. My proposal is to supplement them by providing a permanent instrument to allow the local community, at any time, on its own initiative, but largely at its own cost, to secure for itself any of a wide range of services and facilities.

I propose that on the establishment of the new regional municipality, each existing town, village and police village (except Simcoe) become an "urban service district". Thereafter, any community could be constituted an urban service district by petition to the council of the local municipality, and any urban service district could similarly be dissolved on petition, though this would not relieve the inhabitants of their existing financial commitments. The boundaries of an "urban service district" should be established as follows:

- i) the residents petition for the establishment of an urban service district with specific boundaries;
- ii) the local council studies the suitability of the proposed boundaries;
- iii) the local council determines the final boundaries.

Each urban service district would have an "urban board" of three members (for districts having less than 1,000 people) or five (for districts of 1,000 people or more), who would elect their chairman from among themselves. Urban boards

would be elected at the same time as the municipal councils. The general policy of the Provincial Government at present appears to be to prevent one person holding two elective offices simultaneously; without disputing the validity of the principle in general, I am by no means sure that it should apply where one of the offices concerned is membership of an urban board, due to the strictly limited functions and responsibilities of the latter. I make no firm recommendation on this matter.

An urban board would have the right, by formal resolution, to request from either the regional or the local council (as appropriate) the provision of street improvements, street lighting, sidewalks, parks, playgrounds, public buildings, and similar facilities and amenities, together with improved street cleaning and garbage collection services. Costs would be shared between the urban board and the municipality by agreement. Cost-sharing by the municipality is justified on two grounds. First, the improvement provided could well form a part of the municipal council's own improvement programme at some later date if not carried out through the urban board; second, its benefits would generally not be confined exclusively to the residents and businesses of the urban service district. Nevertheless, the municipal council would naturally have to determine its financial participation in relation to its general framework of priorities.

I further propose that an urban board should have the same rights as a local municipal council with respect to official plans, zoning by-laws and plans of subdivision (see Subsection 10.2.3 above).

I would also hope (though it cannot readily be legislated) that the urban board would in practice assume the role of a channel of information and communication between municipal government and the citizens of urban localities.

An urban board would not employ its own staff. Necessary clerical and accounting services would be provided by the local council.

I would emphasize that an urban board

would not in any way diminish the rights and responsibilities of either the local or the regional council to provide any service for which it was responsible to any area within its jurisdiction in any way otherwise possible. It should be regarded strictly as a method of adjusting municipal services (and taxes) to the specific needs, wants and circumstances of individual communities, and also as a device whereby the views of the residents of such communities could influence the processes of municipal government at its enlarged scale.

I recognize that the urban board concept is open to a number of objections. It will be argued that in practice the boards will constitute a third level of municipal government because they will create a political power base, they will have duly elected representatives, and they will prepare budgets; therefore they will in time demand full municipal status. It may also be argued that they will perpetuate the evils of competition for assessment base. Thirdly, they may tend to create conflicts among different parts of a single local municipality and lead to confusion in the minds of citizens as to who is really responsible for what.

I do not dispute the validity of these points, though I believe that the second objection should not carry much weight, partly because planning powers will be held by the regional council and partly because cost-sharing arrangements would not have to be based on property assessment. But I believe strongly that the objections are outweighed by one rather simple argument. As "local" government becomes larger in scale, there *must* be effective means, at what might be called the community level, whereby citizens can satisfy what they conceive to be their own particular needs, and collectively bring issues and problems to their municipal council.³ Experience elsewhere has shown very clearly that if no institutional means are provided for accomplishing this, the result is all too likely to be growing discontent and ultimately "citizen action" outside the institutional framework—frequently hostile and occasionally even violent. The result

has been the adoption in recent years, in Canada and in other countries, of various devices whereby community initiative can be incorporated into the formal structure of municipal government. This seems to me both desirable and inevitable, and I believe that to ignore the need to is to refuse to face one of the most important facts of contemporary life.

³See Appendix 1, LOIS, Recommendations.

12.3 Education

Education is not a municipal responsibility, and it would not be appropriate for me to try to examine its administration in depth or to make recommendations thereon. It cannot, however, be ignored altogether. Education costs typically account for about 40 per cent of the municipal tax bill,⁴ yet the municipal council has no effective control over them. This, in effect, gives education a special status among local services (using the term in a general sense) because it cannot be weighed impartially against other services to establish the optimum allocation of municipal expenditures in the general public interest. Furthermore, school buildings and grounds are enormous public capital assets but, being under their own separate authority and administration, there is inevitably a barrier to locating, designing and using them for the fullest possible benefit of all citizens. While recognizing that the boards of education are generally most cooperative in allowing the use of their premises for community purposes, one may still question whether school buildings and grounds are used as fully as they might be as community centres, adult learning resource facilities, recreation centres and the like. In addition, school location is an important element in planning the development of a community and even a region, and school sites should be chosen with this consideration in mind. This did not appear to be the case when, for example, the Norfolk County Board of Education, in 1969, chose a site for a new high school over wide opposition from municipal representatives and citizens. Finally, and perhaps most important of all, is the very basic consideration that education is, and should be treated as, an integral part of the full spectrum of human development programmes, not as something separate and distinct. At the Provincial Government level this has been recognized by the inclusion of education in the "social policy field"; it hardly seems consistent for it to be allowed to remain in splendid isolation at the local level.

Taking such important considerations into account, it is at least permissible to question the justification for retaining autonomous boards of education. The usual reply is that education is so important that it requires the full attention of a separate elected body. One may doubt the validity of the argument without casting doubt on the importance of education. Much of the responsibility for elementary and secondary education policies and standards is held by the Provincial Ministry of Education; administration at the local level is largely carried out by highly qualified staff. This does not deny the desirability of maintaining some control by a local elective body; but it does weaken the claim that the elective body must be one devoted exclusively to managing the school system. There is at least room for the possibility that such a body would be more effective in relating the school system to broader public needs if it were the one concerned with meeting such needs—i.e., the regional council.⁵ (See Section 5.3, principle 8.)

12.4 Other Agencies

The report on planning in Haldimand-Norfolk, *Threshold of Change: (1) Land and Development*, makes certain recommendations which have a bearing on municipal government.

One recommendation is that a new town be established and that a development corporation be created by the Provincial Government for this purpose. While the new town is intended to be a part of the municipality of Nanticoke Creek for municipal government purposes, there will have to be a "special relationship" between the development corporation and municipal government. In part this relationship should involve municipal representation on the development corporation drawn both from the local council and from among other members of the regional council. The Regional Chairman and the Mayor of the local municipality might be *ex officio* members of the development corporation. *Threshold of Change (1)* recommends that residents of the new town be represented also.

This should ensure that municipal interests are adequately represented in the planning and development of the new town. On the other hand, the development corporation will necessarily be very much concerned with the effects of municipal planning controls not only within the townsite itself but in the area around it. For example, the orderly development of shopping districts in the new town could be seriously affected by the opening of a large new shopping centre nearby.

The new town will also inevitably place heavy demands on virtually the whole range of municipal services, and the development corporation will have to have assurance that these demands will be met (with Provincial assistance if necessary) in order to carry out its task. However, since the new town will not be a municipality in its own right, it will have no way of bringing its particular needs directly to the attention of the regional council through its own political representatives.

This is where the "special relationship"

⁴For further reference see the Education section of *Facts and Figures* (published separately).

⁵See Appendix 1, LOIS, Recommendations.

between the development corporation and municipal government, and probably with the Provincial Government as well, will be needed. The nature of such a relationship is likely to be complex and raises a number of questions of law and principle; also, the whole issue is one which ought to be considered in terms of general application throughout Ontario in view of the likelihood that the creation of new towns will become a normal feature of the development of the province. I have therefore concluded that my only recommendation on this matter should be that it be made, as a matter of urgency, the subject of a special detailed study.

Threshold of Change: (1) also recommends the appointment of a Provincial official to coordinate the programmes and activities of the Provincial Government in Haldimand-Norfolk, including the development of the new town.⁶ He would not be directly concerned with municipal government as such, but could and should provide a useful channel of communication between the municipal and Provincial Governments on matters relating to planning and development, including Provincial highways and water supply and sewerage projects.

Finally, the report on planning recommends that the Province maintain a continuing planning service in Haldimand-Norfolk until the regional government takes office. In fact, this service should continue to operate until its role can be assumed by the planning department of the regional municipality so that the continuity of planning can be maintained. The regional council should therefore make arrangements with the Provincial Government for the phasing out of the Provincial planning service parallel to the phasing in of the regional planning department.

⁶This appointment has now been made.

13.1 Basic Administrative Structure¹

I recommend that the regional council initially, and as early as possible, appoint the following chief officers, each of whom should be fully qualified in the appropriate professional field and should be the head of a department:

Clerk-Treasurer
Director of Planning
Director of Public Works
Director of Social Services
Medical Officer of Health
Chief of Police

I recommend that the Clerk-Treasurer, the Director of Planning and the Director of Social Services constitute a Committee of Administration under the chairmanship of the Clerk-Treasurer (whose position as chairman of the Committee would not carry with it any special status or privileges).

The purpose of the Committee of Administration must be made quite clear. It is not intended to detract from the decision-making and policy-making role of the regional council, but on the contrary, to assist it in fulfilling that role by clarifying issues, dealing with matters of administrative detail, and in general relieving the council, as far as possible, of everything but those matters with which it should properly be concerned.²

The Committee would function in four ways. First, it would, when necessary, collectively initiate *recommendations* on municipal policies, organization, by-laws and the like. Second, it would review all business going before the council and its committees and prepare and co-ordinate reports, opinions and recommendations thereon. Third, it would receive all instructions from the council and determine the responsibility for, and method of, carrying out such instructions. Finally, it would be generally responsible for the coordination of regional administration and programmes.

Since the main role of the Committee would be one of coordination, not of decision-making, it would not normally follow a voting procedure. In case of disagreement among its members, both sides of the question would be presented to the council or the appropriate council committee to be resolved. When disagreement arises the issues should be discussed and clarified before they reach the council chamber; and this would be one of the main purposes of the Committee.

The individual responsibilities of the six chief officers are largely self-explanatory. There are, however, certain functions which do not fit neatly into any of the six proposed departments, several of which will undoubtedly become the responsibility of new departments at some point. These will be discussed briefly.

Finance: Clearly a responsibility of the Clerk-Treasurer, but a split of his department into two – administrative and financial – might be justified fairly soon.

Legal Services: A separate legal department might be required eventually; meanwhile legal services should be secured as necessary under the responsibility of the Clerk-Treasurer (or Clerk).

Industrial development: Should be within the Planning Department.

Fire protection (coordination of local services): If this function cannot be assumed by EMO, a regional fire protection officer will be required. Such an officer might best be responsible to the regional council through the Chief of Police.

Parks, community facilities, conservation: This area of regional responsibility will require a separate department fairly soon, but initially recommendations on sites could be left to the Planning Department and development and maintenance to the Public Works Department – under the supervision of a qualified landscape architect, however.

Recreation programmes: Might eventually justify a separate department, but at least initially should be a responsibility of the Social Services Department.

Public Information: A responsibility of the Clerk's Department.

I have recommended that the region should start with only six departments (even at the cost of one or two slightly arbitrary and probably temporary arrangements) in order to keep the initial administrative structure as simple as possible. It is clear, however, that the number of departments might have to increase to eight or ten fairly soon. This would require reconstitution of the Committee of Administration, and I recommend that at that time the various departments should be grouped into three broad areas of activity, each under a Commissioner, with the three Commissioners then forming a new Board of Administration with functions similar to those of the Committee of Administration but with a greater emphasis on collective responsibility for the management of the region; *i.e.*, in effect assuming collectively the role of a municipal manager. The suggested areas of responsibility for the three Commissioners are:

Commissioner of Administration and Finance

Clerk's Department
Finance Department
(Information Department)

Commissioner of Planning and Development

Planning Department
Public Works Department
Parks and Amenities Department
(Transportation Department)

Commissioner of Social Development and Public Protection

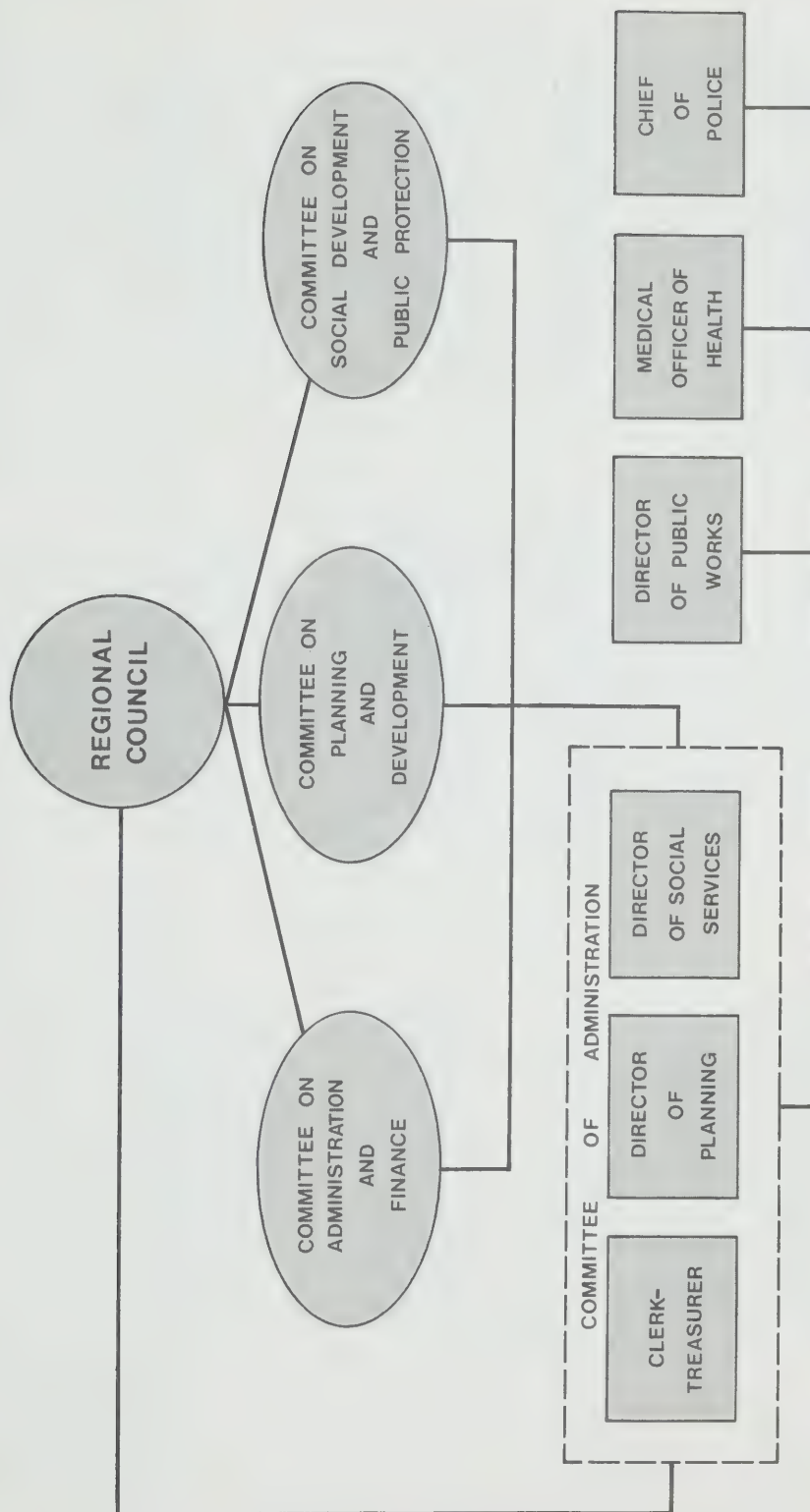
Police Department
Social Services Department
Public Health Department (Health Unit)
(Recreation Programmes Department)³

I recommend that this new structure be anticipated by the structure of committees of council from the beginning. Much of the work commonly done by council committees should be dealt with by the Committee (and later the Board) of Administration, so that the number of council committees can be kept to a minimum, as they should especially in view of the relatively small early size of

¹For purposes of comparison with the present organization of administration see the Municipal Organization section of *Facts and Figures*.

²The Committee of Administration as here proposed is comparable to that which operates in the City of Kitchener.

³The departments named without parentheses are those which I would expect to be necessary in the fairly near future; those in parentheses might be needed as well.



**BASIC ADMINISTRATIVE STRUCTURE
COMMITTEE OF ADMINISTRATION SYSTEM
(Stage 1)**

FIGURE No 1
HALDIMAND NORFOLK STUDY
MINISTRY OF TREASURY, ECONOMICS
AND INTERGOVERNMENTAL AFFAIRS
SEPTEMBER 1972

13.2 Special Committees

the council. A council committee to deal with each of the three areas of responsibility described above would therefore seem appropriate.

It is further recommended that each council committee be empowered to co-opt not more than three advisory (non-voting) members from outside the regional council. In no case should advisory members constitute a majority of the committee. (This recommendation is in the spirit of the submission of the Canadian Federation of University Women, Norfolk County, which suggests the use of advisory boards made up of "resource persons".)

Reference has already been made in Chapter 10 to the desirability of coordinating local and regional programmes. I recommend specifically that a committee comprising members of all seven councils be set up for the purpose of coordinating local and regional programmes for park acquisition and development and the provision of community centres, recreation centres and similar amenities. The Regional Director of Planning (later, the Director of Parks and Amenities) should act as secretary and provide any necessary technical resources and advice.

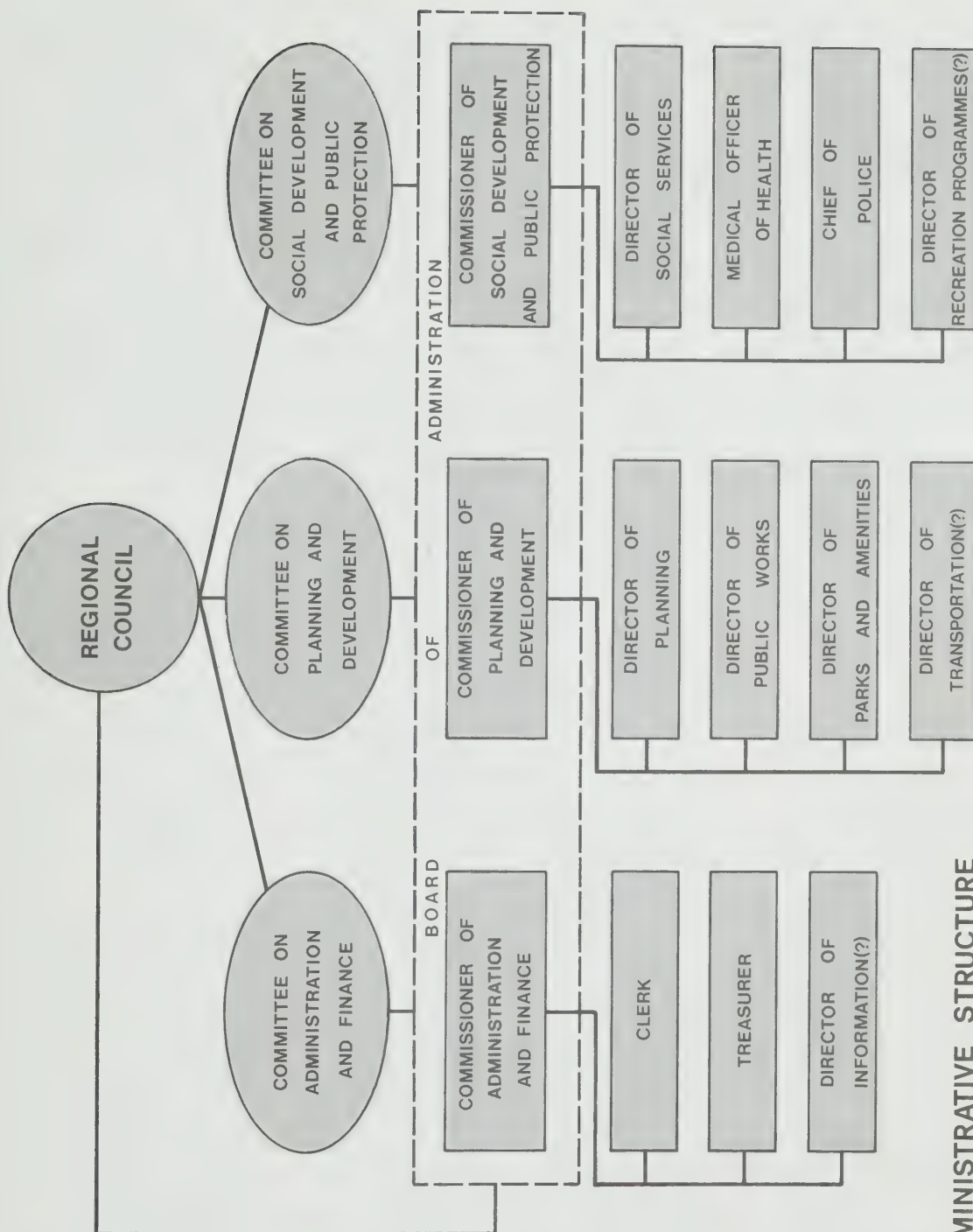
I also suggest that it would be desirable to establish a planning advisory committee within the regional administration, comprising the Director of Planning, Clerk-Treasurer (or Treasurer), Director of Public Works, Director of Social Services, Medical Officer of Health, and officials of the boards of education and the new town development corporation. The purpose of this committee would be to provide the Director of Planning with technical advice as needed on all matters relating to the planning and development of the region. This is, however, moving too far into matters of administrative detail to be put forward as a definite recommendation.

13.3 Administrative Decentralization and Public Information

Earlier in this report I have stressed how important it is that local government should be comprehensible and accessible to the ordinary citizen.⁴ Unfortunately, the two-tier structure is inherently not simple, and in a region of 1,100 square miles accessibility is inevitably also a problem – at best some citizens in Haldimand-Norfolk will have to drive as much as 40 miles to reach regional "headquarters", wherever it may be (a matter on which I make no recommendations, since I regard it as a decision for the regional council). These problems can be overcome to a large extent through two related devices: decentralization, and public information.

Not every regional function can or need be decentralized. But I recommend very strongly that for those functions which will most commonly require the public to deal with the regional administration – such as issuing licenses, receiving tax payments, dealing with blocked sewers, administering welfare and the like – there should be what I will call (to distinguish them from offices of the local municipalities) sub-regional offices. Police, social workers and public health staff should likewise have their own districts based on the sub-regional offices. (This does not mean that such sub-regional offices need to have full staff on hand at all times: one staff member may look after more than one sub-regional office in a given field of responsibility.) Not only would this vastly improve the accessibility of regional services, but it would also enable regional staff to become closely familiar with their own districts (thus overcoming a major objection to the transfer to the regional government of responsibility for public welfare). It would be highly desirable for all sub-regional offices in a particular part of the region to be housed in one building; it would be even better if it were the same building that accommodated the offices of the local municipality. This would not only facilitate cooperation between the two tiers, but would make life rather

⁴See Appendix 1, LOIS, Recommendations.



BASIC ADMINISTRATIVE STRUCTURE
BOARD OF ADMINISTRATION SYSTEM
 (Stage 2)

FIGURE No 2
 HALDIMAND NORFOLK STUDY
 MINISTRY OF TREASURY, ECONOMICS
 AND INTERGOVERNMENTAL AFFAIRS
 SEPTEMBER 1972

simpler for the citizen unfamiliar with the intricacies of the two-tier structure.⁵

Coupled with the decentralization of other regional services should be a citizens' information service. This should consist of an information desk staffed during full normal office hours by a person able not only to give complete information about the services available in that building, but also to answer any reasonably likely question about *both* levels of municipal government and their responsibilities. In addition, there should be a central telephone information service, with a toll-free number, from which an enquirer should be able to find out about any aspect of his municipal government from the name of the councillor for his ward, to a detailed description of organization and administration. It would be desirable if questions about Provincial and Federal services could also be handled, at least to the extent of directing the enquirer to the right source of information.⁶

Often the information sought will relate to the means of getting a complaint dealt with or a problem solved. In such cases the citizen should not simply be given information: he should also be given active help in getting his problem or complaint to the proper quarter. The same should apply to criticisms, suggestions or even simple comments relating to municipal services. In other words, the flow of information should be two-way, helping the regional council and administration to keep informed about the needs and concerns of the citizen as well as helping the citizen to get those needs and concerns attended to.

It may be objected that the proposed information service would at best duplicate, and at worst usurp, the traditional

and proper role of the individual councillor. I believe the reverse to be true: properly run, it should help him to carry out that role. The most conscientious councillor cannot know every citizen, or be accessible to everyone at any time. Certainly many people – even in small municipalities – do not know their councillors. But – especially with proper publicity – almost everyone can eventually come to learn of a particular place or a particular telephone number from which information can be obtained or to which a problem can be taken. Often, it can be assumed, the caller will be directed to his elected representative, or his problem will be drawn to the latter's attention, thus enabling him to deal personally with a matter which might otherwise never have reached him; at the same time, he can be relieved of routine enquiries. The net effect should be to enable him to use his time and efforts more efficiently on his constituents' behalf.

While the information service would almost certainly function for the most part as an aid to the citizen in specific practical matters, it should equally have the more general, and vitally important, purpose of keeping municipal government open and accessible to the public. Frequently the expression "you can't fight City Hall" really means: "You don't know what goes on in City Hall – and can't find out unless you know the ropes." That state of affairs is undemocratic, unnecessary and should be avoided. I have already stressed that the essential characteristic of municipal government, its true *raison d'être*, is that it is government at the grass roots, close to the citizen and responsive to his concerns and needs. As the scale of municipal government increases, there is a great danger that this essential characteristic will be eroded and eventually lost. If this is allowed to happen, the justification for retaining municipal government at all becomes open to serious question. Therefore, with the disappearance of the close personal contact which is possible in politics at the level of the village or the small township, other ways must be found to achieve the same end. One way, and I believe an indispensable one, is to ensure

that the citizen can get any information he wants reliably and easily. But if the ready availability of information is essential to the principle of local democracy, it is also essential in a very practical sense to the interests of the individual. Rights which the citizen does not know he has, or does not know how to use, are rights which are effectively denied him. In this sense the people who know little or nothing of law and government – who are generally those most in need of some form of help – are truly "second-class citizens" compared with the educated and sophisticated who know how the "system" works, who know what to look for, where to find it, and how to get what they are entitled to.

⁵It is worth noting that arranging to accommodate staff from several departments in one sub-regional building is an excellent example of the potential functions of the Committee of Administration.

⁶*Threshold of Change: (1) Land and Development* (Section 9.5) makes certain recommendations as to the Provincial role in providing the citizen with information and assistance. If these recommendations are followed, coordination and (ideally) collaboration between the two levels of government in this area of activity will be very important.

14.1 General Comments

The costs associated with regional government are probably the most important issue in the mind of the public at large (see Chapter 7). This concern is entirely understandable and justified both from the point of view of the community (the total tax revenue of the two counties in 1970, not including Provincial and other contributions, amounted to over \$12 million¹) and from that of the individual taxpayer, who pays \$250 per household on average every year in property taxes. The subject is in fact of concern to every taxpayer in the province, who, through Provincial grants, contributes indirectly as well as directly to the costs of local government and associated programmes.

Estimates of the "cost of regional government" were repeatedly demanded at the public meetings conducted during the Study. The desire for such information is reasonable enough, but in practice it is impossible to provide for a number of reasons, of which the most important is that the programmes and the administrative machinery which will have to be financed will be determined by the new regional and local councils *after* the new local government system comes into effect. Therefore, I can only address myself to principles without being able to deal in actual dollar figures.

One of the main reasons for modernizing local government in Ontario is the deficiencies of the present financial arrangements. Inequities in financial capacity coupled with grossly uneven distribution of financial benefits among local municipalities are now commonplace. The creation of larger budgeting units (municipalities) can substantially ameliorate these local inequities by bringing more of the development and "tax base" into one jurisdiction. This would be accomplished through the adoption of the recommendations of this Report both by the creation of a large regional unit (responsible for most municipal spending), and also through the consolidation of the local municipalities.

Needless to say, the levelling out of inequities means that some will benefit at the expense of others, a fact which gives rise to much of the controversy associated with the establishment of new regional governments. But this will be less of a problem in Haldimand-Norfolk than in most other areas, because urban development is not yet highly concentrated and the distribution of wealth throughout the region, though far from uniform, is not grossly uneven. Nevertheless, it must be recognized that the establishment of a regional system of government does not itself create added wealth, though, as suggested at several points in this Report, it should make possible the more economical use of available funds. As emphasized in the earlier report, *Threshold of Change: (1) Land and Development*, the future conditions which the area faces will be such that for a long period municipal tax revenues will constantly lag behind the demand for funds for expanding municipal services. In the near future, therefore, the financial stability of the new region may be much more heavily dependent on additional Provincial transfer payments than are other regional municipalities which do not have to cope with such rapid and radical changes.

Apart from the special circumstances of Haldimand-Norfolk, other factors will inevitably lead to continuing increases in the cost of municipal government: inflation, rising education costs, constantly growing demands for new or improved public services. "Regional government" will not necessarily be the principal guilty party. And each new cost element will in some way provide returns to the taxpayers, though it is difficult to establish the exact rate of return in terms either of financial benefits or the quality of life.

In the future, industry will become a larger component of the total tax base. Under the present municipal structure, this would be mainly to the benefit of a few municipalities. With a regional government as the main recipient of municipal funds, everyone within the region will benefit substantially from industrial growth, regardless of its location within the region; and the local

municipalities will not be compelled to compete with each other in the traditional way for industrial and commercial tax revenues.

At the same time, the distribution of financial responsibilities will directly reflect the allocation of functions between the two levels of municipal government. Every taxpayer in the region will have to bear his share of the cost of *general* regional services in addition to the costs of the services provided by his local council and possibly additional charges resulting from area rates or services provided through his urban board. On the other hand, where possible, regional administrative costs for specific programmes should be charged only to those taxpayers on whose behalf the programmes are carried out.

¹For supporting data throughout this section see the Municipal Finance section of *Facts and Figures*.

14.2 Municipal Revenues

14.2.1 Municipal Taxation

Property taxation provides the bulk of municipal tax revenues in Haldimand-Norfolk. Assuming that the new regional council takes office in 1974, this will closely coincide with some fundamental changes in municipal taxation in Ontario generally which may lead to changes, in some cases substantial changes, in the previous incidence of local taxes; that is, the individual taxpayer may find himself paying a different proportion of the local public expenditures, regardless of regional government. It may well appear to him that the introduction of regional government alone has caused the changes in his tax bill. I therefore recommend that each tax bill should be accompanied by a statement showing local, regional, special and education levies listed separately, for both the current and the previous year, and also the general budget breakdown for the region for both years.

The administration of tax billing by the regional council rather than by the local councils, as recommended, will not affect the control of the local council over taxation for its own purposes. But in fact the local levy is likely to be the smallest item of the four (regional, local, special, education). It will be up to the taxpayers and local councils to exercise control over the regional levy through their representatives on the regional council, and to the voters to maintain control over the education component through their school trustees as long as school boards operate outside the municipal structure.

Although one of the main aims of regional government is to secure a fairer distribution of financial resources and burdens, gross property taxes will not be uniform throughout the region. This is not contrary to the principle of equity, because not all parts of the region will receive equal municipal services. Clearly, the need for such services will vary considerably, particularly as between urban and rural areas. Hence the recommendation for the establishment of urban service districts, as well as the use of area rates and local improvement schemes—all of them devices to enable particular localities to get the kinds of services they need or want, and

to allocate costs accordingly. Collectively, such measures will bring about area-specific tax levies resulting in varying mill rates throughout the region. The underlying principle is that services which benefit particular areas (as opposed to, for example, social and health services, which will be uniform) should be financed by the recipients and not by the regional taxpayers at large.

It is therefore to be expected that total property taxes in Simcoe, for example, will be higher than in, say, West Norfolk; this will simply reflect the differences in the services received.

However the charges of a particular area-specific service to the individual taxpayer should not vary according to accidental conditions such as geographic location. That is to say, for example, that all communities served by a regional sewerage system should pay a uniform rate regardless of the difference in costs in providing trunk sewers to different communities served by the system. (This principle may have to be reconsidered if different parts of the region eventually have to be serviced by entirely separate systems, as may well be the case at the western end. It will then be for the regional council to decide whether to retain a uniform rate throughout the region, or to impose different rates reflecting the differences in costs between the two systems.)

The Provincial Government is endeavouring to mitigate the regressive characteristics of property taxation through such measures as relating shelter subsidies to income through income tax. In the same spirit, I recommend that service costs (particularly, water supply and sewerage) be regionally averaged so that the recipients of the services will pay a uniform rate (except possibly where separate servicing systems are involved). In principle this is in accordance with the Joint Study Committee's recommendation,² although the Committee applied it only to the wholesaling of services. Since piped services will be integrated into a single regional system, at least in the central and eastern parts of the region,

there will be no need to distinguish between wholesale and retail prices: the region can levy all the users directly at a uniform rate. (Until such a system is in operation, the regional council will of course have to determine its policy regarding the allocation of servicing costs to communities now served by their own local systems: that is, whether to charge a uniform rate immediately, despite substantial differences in actual costs, or to continue to charge according to actual costs in individual communities.)

Seasonal dwellings (cottages) present a rather special problem in relation to municipal finances. Despite the arguments of cottage-owners that they should not have to pay full municipal taxes because of their limited needs for municipal services, there is reason to believe that cottages are not now in fact paying their fair share of true municipal costs. Municipal government (probably both regional and local) will in the future be put to a great deal of expense to correct the undesirable conditions which have been allowed to develop along the lakeshore. It is reasonable to argue that cottage-owners should share the costs of reclaiming lost opportunities to create public parks and beaches in those naturally endowed areas of which so far they have had the exclusive use. It is reasonable, too, that they should help pay for the pollution control measures now urgently needed because of cottage development. With assessment standardized for cottages as well as for all other properties, municipal councils should not succumb to pressure from cottage-owners to apply reduced mill rates to cottages on the basis that they do not benefit from municipal services to the same extent as full-time residents.

14.2.2 Provincial Grants

The total picture of Provincial grants and payments to municipalities is so complex that it proved impossible to determine how much money is actually received within the two counties at present under the many provisions of a variety of Provincial statutes, and equally impossible, therefore, to try to elucidate the general intent of Provincial assistance to municipalities. Also, it is not possible to

²Joint Study Committee, *Final Recommendations*, Subcommittee No. 2, p. 1.

arrive at a realistic assessment of true municipal needs by analyzing grant applications, because the "need" so expressed often reflects mainly the amount of Provincial aid that can be obtained with the least municipal contribution, thus distorting programme priorities. Some municipal programmes can be financed under more than one Provincial statute, and the extent of Provincial assistance may vary accordingly. For example, the same welfare-related programme could now be financed through the Ministry of Social Services, the Ministry of Education, or the Ministry of Health. Further to confuse the issue, funds may be paid directly to a municipality, or to a special-purpose agency, or to support a special project (such as the Haldimand-Norfolk Study).

The Provincial Government is now engaged in a comprehensive revision of the whole system of grants and transfer payments, but in the meantime the influence of the present incoherent arrangements is enormous, affecting most municipal responsibilities to varying degrees.

The stated purpose of payments under *The Regional Municipal Grants Act* and *The Municipal Unconditional Grants Act* is to reduce the amount of taxes levied on residential and farm assessment. The amount that would be received in Haldimand and Norfolk under the newly amended Acts was calculated, respectively with and without regional government. Area-wide policing was allowed for in both cases. The calculations revealed that the total moneys received from the basic grant and the police grant with the present municipal system would be somewhat less than \$0.6 million, while the corresponding total with regional government, including basic, sparsity and police grants, would be more than twice that amount—over \$1.2 million. In this case the Provincial policy—the encouragement of regional government—emerges clearly.

It is difficult to judge how much of the total expenses of the new municipal system would be covered by the increased unconditional grant. It is quite likely that it will be insufficient to cover

the whole of the increased costs of regional administration together with new regional services. Taxes, therefore, will almost certainly have to go up somewhat more than they would have done without regional government.

The cost of regional policing alone may absorb much of the increased unconditional grant. Much of the region is now served by the Ontario Provincial Police, so that only part of the cost is borne by the recipients of the service through their property taxes. This is not, of course, true of the taxpayers in those urban municipalities which have their own police forces. Thus, while regional policing will add substantially to the total cost of policing borne directly by the people of the region as a whole, the distribution of the cost will be fairer. Nevertheless, the total cost *will* be much higher, including heavy initial investments for such facilities as a new regional police communications system and a fleet of police cars. *The Regional Municipal Grants Act* makes provisions for special assistance to defray initial expenditures generally. Such special assistance will be needed and I recommend its payment to cover the costs of creating a regional police force. On the same principle, I recommend that the Province should pay the salary of the Provincially appointed first Regional Chairman; later, when the Chairman is elected, the region will pay his salary. I recommend also that the Province continue the assistance it has given to planning in the area since 1969 so that a regional official plan can be prepared and adopted without delay, preferably within two years of the regional council taking office; this is of the very greatest importance in Haldimand-Norfolk to permit sound budgeting as well as to permit proper control over the forthcoming physical changes.

Other forms of special assistance may prove to be needed to relieve the transitional pressures and the impact of redistribution of tax burdens among local taxpayers. These cannot be foreseen at the moment, however, and will probably become apparent only as the new structure begins to be implemented.

Up to this point the recommendations

regarding Provincial grants have been based on the Province's policy of financing the costs directly related to municipal reorganization, as opposed to costs related to the improvement of services. A quite distinct consideration is that the rapidity of urban development in the future, as repeatedly stressed both in this Report and its predecessor, will create an unprecedented need for the provision of services, completely disproportionate to the normal fiscal resources of the new region. This will include, for example, a regional system of piped services, a greatly improved road system, and a heavy programme of school construction. Normally, the costs of such improvements are shared between the Province and the municipalities. In the circumstances which will prevail in Haldimand-Norfolk, the scale of these expenditures will be so high in relation to the region's tax base that the municipality will at times be able to pay only a small share, sometimes not amounting to more than a token payment. No standard cost-sharing formula can be recommended because the circumstances will vary and judgments as to the appropriate Provincial share of costs will have to be made accordingly.

The road grant requires special comment: the new regional corporation is likely to be a frequent applicant for grants under *The Public Transportation and Highways Improvement Act*. Because the regional corporation may wish to apply for road grants early on, and also because the regional budget will have to take the regional roads into account, I recommend that the full regional road system should be designated right at the outset of the establishment of the new region.

I have suggested in Subsection 10.2.5 that certain Provincial highways might be transferred to regional jurisdiction. If this suggestion is followed, the transfer should take place either before the preparation of the first regional budget, or several years later; if it is effected during the first couple of years of the regional municipality's existence it will add an unnecessary item to the many changes and problems with which the regional council will have to cope. The

14.3 Budgeting and Capital Borrowing

transfer of a Provincial highway to the region would be based on the premise that the road in question serves primarily intra-regional rather than inter-regional needs; thus, while it should be in good repair at the time of the transfer, the Province should not be expected to assume any further financial responsibility in connection with it.

Careful and sensible budgeting will be crucial to the acceptability and successful operation of the new regional government, especially in its early years. But it is during this period that it will be most difficult. There will at first be no established policy (*i.e.*, a regional official plan) to guide expenditures; many policies will in fact be established by the regional budget itself. This has serious dangers, mainly because there will be a variety of pressures for local *ad hoc* spending to be accommodated before the general interests of the region as a whole have been determined. With the best of intentions, local interests will be more easily understood and defended than those of the region at large; while at the same time there will be a temptation for the local municipalities to press for new or improved services while the regional council is not yet firmly established and therefore vulnerable. Failure to resist such pressures may lead the regional municipality into serious financial problems and questionable spending priorities not consonant with the best interests of the people of the region as a whole.

Sound municipal budgeting requires the preparation of long-term (five-year) capital budgets. This would not only assist the councils at both the regional and local levels in the preparation of their annual budgets, but it is a requirement of the Municipal Board for capital borrowing. Coupled with an official plan, the long-term budget also provides a clear statement of regional policies for the information and consideration of the citizens. I therefore recommend that such a budget be prepared and adopted as soon as possible, and filed for the approval of the Municipal Board. It must, of course, be revised yearly as new requirements emerge. The local municipalities can assist in the preparation and revision of the budget by advising the regional council of their own expected future needs.

A capital budget implies the existence of a corresponding regional public works programme. I therefore recommend that such a programme also be prepared as soon as possible, incorporating as "secondary programmes" the improvement programmes prepared by the local coun-

cils (see Subsections 10.2.4, 10.2.5 and 10.2.6) and accepted by the regional council.

Large amounts of capital, both private and public, will be invested in Haldimand-Norfolk in the coming years. The amount of capital that will have to be borrowed will depend on the agreements reached between developers and the municipal councils. Therefore, I would hope that the councils, in order to protect the best financial and other interests of the public, will avail themselves of the advice of experienced Provincial officials before they make agreements with industrial or residential developers.

The position of small municipalities in the bond market is not strong. However, their dependence on the bond market has decreased substantially in recent years due to the establishment of the Ontario Capital Aid Corporation and the Ontario Municipal Improvement Corporation, and the role of the Ministry of the Environment (previously the Ontario Water Resources Commission) in financing water supply and sewage disposal projects. As a result, the financing of capital expenditures by Ontario municipalities through the open market has dropped from 97.6 per cent in 1956 to 38.1 per cent in 1971.³ The establishment of a regional municipality will not in itself guarantee improved acceptability of debentures on the open market; buyers will still need to be well informed and assured of the soundness of the investment. But the information now available on Haldimand-Norfolk's future should help to strengthen its position in this respect, and as large-scale development becomes a reality, the region's borrowing position should continue to improve as long as it has maintained a reputation for sound financial management.

When money is to be raised through debentures, careful consideration will have to be given to the terms of such debentures. Because of the need for services for a large population which does not yet live in the area, a great deal of

³Analysis of the sources of funds borrowed by municipalities and school boards, Municipal Finance Branch, Ontario Department of Municipal Affairs, March 1972.

14.4 Assets and Liabilities

money will have to be borrowed. The municipality will have to consider whether this should be borrowed on a long-term basis so that the people who will eventually benefit will also contribute to the costs. If large sums of money are borrowed over the short term, the present population may bear a disproportionate share of the costs.

One of the problems faced by the regional council will be that of how to allocate its limited funds among the local municipalities. In a regional municipality, the main criterion for the allocation of borrowed funds should be the need in relation to regional programmes rather than local "ability to pay". I recommend that the regional council should have exclusive authority to allocate its borrowing between its own needs and those of the local municipalities, and among the latter, and that the responsibility of the Municipal Board be confined to the approval of the region's borrowing as a whole, and not extended to its apportionment other than through the approval of the capital budget.

However, in the funding of local programmes the regional municipality will still, in its own interest, have to consider the financial soundness of the local municipalities since it, not they, will be responsible for the repayment of the debt.

I recommend that the local municipalities be empowered to undertake short-term borrowing to meet current needs, a measure required because the intake of tax revenue is not continuous. This should, however, be less of a problem in the future with the introduction of improved tax billing and collection procedures.

The dissolution and re-creation of municipal corporations inevitably raises the problem of distributing the inheritance.

There does not seem to be an ideal formula for reallocating the assets and liabilities of the old municipalities to the new ones, and I therefore recommend that the practice embodied in previous regional government legislation be retained: that is to say, that the Minister appoint committees of arbitrators for the distribution of assets and liabilities in accordance with the allocation of responsibilities. The committee would consist of Provincial and local members. Decisions of the committee of arbitrators should be subject to appeal to the Municipal Board.

15.1 The Next Steps

The Government's course of action following the submission of this report will involve careful timing to strike the right balance between over-hastiness and undue delay. There is not the luxury of time to waste; Stelco's Lake Erie Works will almost certainly be producing steel before 1980, and much has to be done to prepare the way for an operation of such size (some steps, indeed, have already been taken, notably changes in the present county road system). While the interim planning service recommended in *Threshold of Change: (1) Land and Development* will help to "hold the fort", the new regional council should be ready to take over the reins as soon as reasonably possible. This requires at least the preparation and passage of legislation, the holding of elections and the setting up of an administration as indispensable steps. In practice, too, one must recognize that the new system of municipal government cannot be expected to work smoothly and efficiently right away; ideally, it should have several years to settle down before having to cope with problems of the magnitude that the Stelco development will produce.

On the other hand, changing a system of local government that has deep roots in history and sentiment is not something to be rushed. I believe very strongly that much more will be gained than lost by taking the necessary time to ensure that this report, and the Provincial Government's own preliminary proposals, will have thorough study and discussion at the municipal level. What may seem from Queen's Park to be relatively minor adjustments may pay large dividends in terms of popular acceptance and political cooperation. I therefore recommend strongly that the Government should not depart from its usual procedure in implementing the recommendations of local government reviews: that is, this Report should be released as soon as possible and time should be allowed for everyone concerned (and specifically the Joint Study Committee) to consider and react to it before the Government's intentions are formulated, and a similar opportunity should be given for consideration of and

response to the Government's proposals before legislation is prepared.¹

I do not, of course, mean that this Report should be regarded simply as a means of provoking criticism and/or alternative proposals from the people and elected representatives of Haldimand-Norfolk. Its recommendations have been carefully considered and a great deal of effort has been made to discover, and within reason take account of, local opinion. But I am quite certain that study and discussion of the recommendations themselves will produce further suggestions for improvements and refinements, and generally help to make the medicine more palatable without reducing its effectiveness.

It is therefore necessary to establish a timetable which will have regional government in operation in Haldimand-Norfolk "with all deliberate speed"—by which I mean, literally, as quickly as possible allowing the time required for necessary deliberation. I suggest a timetable as follows:

Autumn, 1972: publication and discussion of this Report and receipt of views by the Government;

End of 1972: publication of Government proposals;

Early 1973: discussion of Government proposals and receipt of views;

Spring, 1973: enactment of legislation;

Late spring or early summer, 1973: appointment of Chairman and election of new councils;

Summer and autumn, 1973: appointment of chief officers and establishment of basic administrative framework;

January 1, 1974: the new system formally replaces the old.

The key role of the Joint Study Committee in this process should be particularly noted. Representing, as it does, both county councils and all existing local municipalities, it is undoubtedly the most authoritative voice of the Study Area as a whole. Many recommendations con-

tained in its "Final Recommendations—Phase II" should be considered when details of the new system (e.g., administrative structure) are worked out. Furthermore, it is reasonable to expect from the Committee a thorough and comprehensive examination both of this Report and of the Government's subsequent proposals, in addition to recommendations on the three matters to which I have suggested it give special attention: the name of the regional municipality; the details of the new boundaries; and the formula for representation on the regional council. To carry out its task adequately, the Committee will need all the determination, energy and spirit of cooperation which it has shown in the past.

¹See Appendix 1, LOIS, Summary of Conclusions.

15.2 Transition

It is not my intention to delve deeply into the inevitable complexities and problems involved in the transition from one system to another. These will have to be worked out in detail by municipal representatives and officials with the aid of Provincial officials, who have by now had a good deal of experience in this area. I do wish to point out, however, that regional government in Haldimand-Norfolk will be "big business" by comparison with any existing local government in the region, and it would be well worth while to devote a good deal of care to setting up sound administrative organization, procedures and practices from the beginning. Much expertise is available from within the region and also from the Ministry of Treasury, Economics and Intergovernmental Affairs. In setting up a totally new organization, however, I feel that there would be value in introducing a fresh, critical outlook also, and from this point of view the use of reputable management consultants should make a useful contribution. A consultant or consulting firm with experience in both municipal and business management should be able to suggest areas in which established administrative practices might be replaced or complemented by newer ones, such as the introduction of PPBS (planning, programming and budgeting system). He might also evaluate the possible benefits (in relation to costs) of bringing specific areas of expertise into the regional administration.² I therefore recommend that as soon as practicable, a working party be set up, composed of municipal and Provincial officials and independent consultants, to plan the organization and workings of those aspects of the new regional administration which will have to be in operation from the beginning.

One of the matters to be dealt with by the working party should be the reallocation of the employees of the old municipalities. There should be strict adherence to the principle that every municipal employee should be entitled to employ-

ment comparable in nature to his or her previous position and at no lower pay and benefits. While it is likely that the new structure will provide at least as many jobs in total as the old—probably more—they will be differently distributed, and there may well be difficulties in finding suitable positions for some employees. For example, a total of 30 county and municipal clerks (some part-time) will be reduced to seven, leaving up to 23 people entitled to positions comparable with their previous ones. In dealing with this problem too there is now a good deal of experience. At the same time (though I have received no submissions or formal observations on the subject) there have been intimations that the labour unions concerned have not been entirely satisfied with the treatment of their members in the setting up of regional governments. Therefore, without making any judgments on this matter, I would recommend that the appropriate unions be consulted both in the preparation of legislation and on subsequent arrangements for the disposition of municipal employees.

²For example, the cost of employing a full-time regional solicitor might be more than covered through guidance on possible sources of non-tax revenue such as lot fees collected from industrial, commercial and residential developers.

16.1 Evaluation

To repeat an earlier comment, there is no such thing as a perfect system of local government for Haldimand-Norfolk, and I do not pretend that my recommendations will miraculously produce one. But I believe that the system proposed should be fairly generally acceptable, should be workable, and should be capable of meeting the demands likely to be made on it during its intended lifetime.

I have tried to steer a moderate course between over-caution and radical experiment. I believe that the "two-tier" system of municipal government in its present form is very much open to question on a number of counts, and I do not believe that the counties of Haldimand and Norfolk together make up anything like an ideal geographical unit for local government purposes. Yet I have not recommended a substantial departure in either case, for reasons of which not the least important were the views expressed to me by the people and elected representatives of the Study Area.

In this sense the basic recommendations already represent a very substantial compromise, intended to prepare Haldimand-Norfolk for tomorrow's conditions without making changes more radical than strictly necessary; and while adhering firmly to the view that the people and elected representatives of the area should be given full opportunity to consider and respond to this Report, I believe that to compromise further on the basic recommendations (as opposed to details) would be a serious mistake. On the other hand, I have recommended certain innovations, principally in the allocation of responsibilities between the regional and local councils; in the creation of urban boards (actually an old device which in one form or another will almost certainly be widely revived with the general increase in the scale of "local" government); in the centralization of planning responsibilities coupled with statutory rights for the local municipalities in planning matters; and in the areas of decentralization of regional administration and of public information.

The innovations in effect balance each other. On the one hand they would create a "strong" regional government with a

wider area of responsibility relative to the local municipalities than is usual; on the other they should make it accessible and responsive to the citizen, as well as giving unincorporated urban communities some capacity to obtain services for themselves.

The net result of these proposals is to raise a question about the role of the local municipalities: with a strong but decentralized regional government, together with urban boards, is there really any justification for retaining local councils? I believe that there is, at least for the present. One reason is simply that their abolition would be extremely unpopular,¹ and in a democracy the popular will ought to be respected as far as possible. A second reason is that the retention of local councils, with the regional council drawn from among their members, should ease the stresses that would probably otherwise be created by the (growing) differences among different parts of the region. In this sense I believe that their very existence will be a source of strength to the region, where outright consolidation might well produce divisiveness and weakness in the regional council. A third reason is that five of the proposed six local councils can, and I hope will, assume a special role in safeguarding rural interests and promoting agriculture and forestry (though I would not wish them to regard this as their only real responsibility).

The premise underlying all the recommendations is that the proposed new system will have only a relatively short life before undergoing a second complete review. At that time, radical changes not now proposed can be made if necessary; experiments that have not worked well can be scrapped.

How do the recommendations stand up against the principles set out in Section 5.3?

The new system as proposed is designed and intended to deal with the conditions that the next ten to twenty years are likely to bring. It is not suitable for the

probable conditions of the more distant future; in that sense it is not *adaptable* (principles 1 and 10). But it is, if seen as a transitional arrangement intended to be replaced when necessary, and its internal boundaries have been so arranged as to be consistent with future restructuring so far as this can be predicted. As I have stressed before, I believe that is the only feasible approach in Haldimand-Norfolk's circumstances. I believe also that the various devices recommended for maintaining openness and responsiveness will tend to encourage the regional council and administration to adapt themselves to changing conditions, both specific to the region and in society at large.

Principles 2, 8 and 9, *effective coordination of major services coupled with flexibility at the local level*, are, I believe, effectively met by concentrating the major services under the regional council, retaining local councils, and creating urban service districts.

I have already pointed out that I do not consider Haldimand-Norfolk to be an ideal geographical unit for local government purposes. Seen objectively it is a distinctly artificial entity, whether considered in terms of its *internal structure* (principle 3) or of the structure of *central southwestern Ontario* (principle 6). An attempt has been made to fit the local municipalities to the internal structure as far as possible, but a full reconciliation of local government boundaries with functional and development patterns will have to wait until the latter become clear and the second local government review is undertaken.

I have recommended several measures to achieve *accessibility and responsiveness* (principle 4) as far as possible: the constitution of the regional council, the abolition of most appointed boards and commissions, the creation of elected urban boards, regional decentralization, and the establishment of a regional information service. Unfortunately, the second of these measures, together with the reduced number of councils and councillors, will undoubtedly reduce opportunities for citizens to *participate* directly (principle 12) in municipal affairs. This will be to some extent offset

¹See Appendix 1, LOIS, Summary of Major Findings.

by the new urban boards and the co-option of outside advisory members by regional council committees. Municipal councils (at both levels) should also be prepared to set up "outside" committees to advise them on specific matters or to undertake special projects (but not to assume any of the council's own responsibilities). I hope to see no diminution in voluntary citizen activities and the development of vigorous voters' associations and study groups concerned with municipal affairs. Among them, these organizations offer many different ways for the individual to "get involved" without necessarily getting elected.

Clarity and comprehensibility (principle 5), on the other hand, are not achieved as well as I could wish. This failing is inherent in the two-tier system (partly because it is impossible to achieve a complete and tidy split between regional and local responsibilities) and I consider it one of the main weaknesses of the system. I have tried to get around the problem through my recommendation for the decentralization of regional services, putting local municipal and sub-regional offices under one roof, and establishing a regional information service. These measures will not solve the basic problem, but they should reduce its practical importance to the individual citizen.

I believe that the new system would give the region as much *strength* as can be achieved (principle 7), given its relatively small population and assessment and its diversity of character and interests. The regional council should have, as I have recommended, a greater than usual share of municipal responsibilities; but complete consolidation, as I have pointed out, would probably be a source of weakness rather than of greater strength. I believe that this would be true also of enlarging the region to try to achieve the minimum population advocated in *Design for Development, Phase Two*.

(It is perhaps appropriate to point out here that the stated purpose of the Provincial Government's municipal reform programme is to strengthen municipal government to enable it not only to carry out its present responsibilities as it should, but also, as time

goes on, to be delegated responsibilities now exercised by the Provincial Government itself. This commitment should be honoured – and the municipalities given the appropriate financial resources – if the strengthening of municipal government is to have real meaning.)

Historic identities, local loyalties and the wishes of the public (principle 11) have been respected to the fullest extent that I could accept as realistic. There will undoubtedly be people who will believe that I have not gone far enough in this respect. There will also, undoubtedly, be people who will assert that I have been too respectful of historic boundaries and "obsolete" local opinions. I can only hope that both groups will at least recognize an honest effort to achieve a reasonable compromise.

I have referred often to the need for another review, and have in fact made it a basic premise of my recommendations; so I believe that in conclusion I should say something about the changes to which I feel such a review might lead, without trying to predetermine its conclusions.

I believe that in principle the "unitary" system of municipal government, coupled with "community boards" (a general application of the "urban board") is preferable to the two-tier system in its present form (my reasoning is set out in Chapter 6). My recommendations have therefore been intended to provide a rational basis for reorganization into a unitary structure (without in any sense making this inevitable), and I regard the system of municipal government in Haldimand-Norfolk that the recommendations would produce as essentially a transitional stage towards the formation of a series of unitary municipalities that might comprise (as discussed in Section 6.4):

a "Tillsonburg-Dofasco" municipality including West Norfolk and perhaps part of Central Norfolk;

a Nanticoke-oriented municipality comprising Simcoe, Nanticoke Creek, all or part of Central Norfolk, and Central Haldimand;

a municipality including East Haldimand and the southwestern portion of the present Regional Municipality of Niagara.²

I shall probably be accused of retrograde thinking in suggesting that large regional municipalities should or even might be broken up. I do not believe this to be so. In my opinion, *local* government implies a reasonably compact area with a clear identity and sense of "community of interest". The establishment of such units does not preclude, and indeed would facilitate, assembling them as "building blocks" into larger structures through which the municipalities could cooperate with the Provincial Government for specific purposes such as

²It might be noted that this concept would provide a ready-made solution to the future of Brant County and Brantford.

regional planning, conservation, water supply or post-secondary education, and to which further responsibilities now exclusively exercised by the Provincial Government could be delegated. The term "two-tier region" would fit such structures rather better than it does the present "regional" municipalities.

The perennial problem of democratic government, as was recognized in *Design for Development, Phase Two*, is that of reconciling efficiency and effectiveness in the provision of public services with ultimate popular control and accessibility of government to the citizen. At each level, from that of Ontario as a whole, through the economic or planning region, to the smallest recognizable community, a different approach and a different "mix" may well be needed. The Design for Development programme as a whole offers the opportunity to consider systematically what institutional forms are appropriate at each level, as well as the proper relationship between one level and another. I believe that such an examination might well challenge the results of the rather *ad hoc*, piecemeal municipal reform programme of the last few years, as great an improvement as that undoubtedly is on the antiquated system which it is replacing.

Introduction

The following is a summary of the major findings, conclusions and recommendations set out in Volume 1 of our report: *Local Orientation and Identification Study, November 1971*.

We have taken this opportunity to expand on some of our major recommendations in the light of our more recent experience and thinking.

The information from which our findings were drawn consist of a questionnaire sampling which included about 1,100 respondents within the two counties and several hundred others in the surrounding area; an analysis of the recorded proceedings of thirty of the group meetings at which the questionnaires were filled out; and in-depth interviews with selected municipal and Provincial officials, elected representatives and active citizens. The data are internally consistent in all significant aspects and show no unexplained variations.

The questionnaire used for the major sampling included a number of scales including:

General Change scale: measuring respondent's desire for, or willingness to accept, changes in local government organization and collaboration among municipalities.

Boundary Change scale: measuring respondent's attitude to changes in existing local and county boundaries.

Local-Cosmopolitan scale: identifying

persons whose scope of social experience is limited, whose primary interest lies in local affairs, who see themselves as members of a local community rather than a large social organization, and who identify with and respect those with local, rather than national, reputations.

Political Participation scale: measuring the respondent's level of political activity – a “crude but serviceable index”. Designed originally to measure participation in federal politics, it was used as an indicator of participation in local politics.

Political Efficacy scale: measuring respondent's feeling that political and social change is possible and that the individual citizen can play a part in bringing about this change.

In addition, responses were analyzed according to county and municipality, urban-rural, education, age and duration of residence.

Summary of Major Findings

Respondents at group meetings expressed distrust of larger units of government.

Respondents do not have confidence in their elected representatives to protect the individual's rights generally, or to protect him against the activities of an enlarging and increasingly powerful civil service. In this respect the Provincial Government is described not as the creation and servant of the citizenry but as an independent power which increases its authority at the expense of the citizens' rights. This feeling appears to be unrelated to any political party or ideology.

There is little support for regional government in any part of the Study Area. Basing their comments on their understanding of the experiences with regional government elsewhere in the province, respondents said that regional government was remote from local concerns, unresponsive and inaccessible to individuals and groups, and resulted in higher costs and taxes, and increasing red tape and bureaucracy.

Respondents said that the implementation and practices of centralized assessment, regional government, particularly in the Niagara Region, and county boards of education were limitations of democratic practice.

Respondents do not regard regional government as a means of restoring authority to local areas; rather it is regarded as another way to deprive local government of the few powers left to it, and to reduce even further the importance of the individual citizen. Respondents often spoke of “Big Government” encroaching on and assuming the powers once held by local government and by the individual citizen. A number of respondents remarked that every power lost by local government to the Province or the county or region was freedom lost by the individual, a freedom which is never restored or regained.

Many respondents did not regard county government as local government. Because of their experience with county

¹The full report of the Local Orientation and Identification Study is a three-volume document of data and analyses. This very brief summary is able to touch only lightly on the main points of the full report. A selection of LOIS tables appears in abbreviated form in another HNS publication, *Facts and Figures*.

Readers requiring more detailed information are referred to the full report which is available at the following libraries: *Public* — Caledonia, Dunnville, Cayuga, Hagersville, Simcoe, Delhi, Waterford; *University* — York, Waterloo, Western Ontario, Guelph, McMaster; *Government* — National Library (Ottawa), Legislative Library (Queen's Park, Toronto), the former Department of Municipal Affairs (801 Bay Street, Toronto), Municipal Reference Library (City Hall, Toronto).

Note: All opinions and recommendations in this appendix are those of the consultant, not necessarily those of the Study Director.

school boards, they said they were opposed to any further acquisition of power at the county level – at least insofar as that power was acquired at the expense of local government.

More than three-quarters of the respondents in both counties said that municipal government should be given more control over local affairs.

In the groups, respondents expressed their major concerns as the protection and preservation of their local community and way of life. They described local government as the bulwark of the community, of citizen participation in community affairs, and of individual rights and way of life. There was a strong feeling that regional government would mean the end of the small community as a viable unit of life and governance.

Only a third of the Norfolk respondents and a fifth of the Haldimand respondents said they were in favour of changes in municipal and county boundaries.

Although they were opposed to what they consider to be regional government – and its effects – 80 per cent of the respondents in both counties were in favour of moderate or substantial change in the existing system of county and local government. Almost 90 per cent of the Norfolk respondents and three-quarters of the Haldimand respondents agreed that “effective planning for the future of your community requires collaboration with adjacent communities and municipalities”. At the same time, less than a quarter of the respondents were in favour of reorganizing county boundaries, and more than half preferred the existing county and township boundaries to remain as they are.

Within the groups, respondents said that increased collaboration among municipalities was necessary to protect their communities against the dangers of urbanization, industrialization and, particularly, pollution.

More respondents (about 1.5/1) in Norfolk were in favour of general change and inter-municipal collaboration, and less opposed by the same ratio to

boundary changes. In Haldimand, two-thirds of the respondents believed the existing system of local and county government should remain basically unchanged.

In general, the data from the questionnaire reveals that opinions in Haldimand are more clearly defined and strongly held than in Norfolk; there is little significant difference between urban and rural opinion in Haldimand; and respondents in Norfolk are much more divided in their attitudes and opinions.

Although respondents in both counties had a strong local orientation, a Preference Value scale showed that localism was perhaps two to three times stronger in Haldimand than in Norfolk.

While only 28 per cent of Norfolk respondents and 14 per cent of the Haldimand respondents favoured joining the two counties together, half the respondents in both Haldimand and Norfolk agreed that if their county must join with another county they would prefer it to be with each other.

The in-depth interviews showed there was no basic split in opinion between those opposed to regional government and those in favour of it. Both groups saw the same problems ahead, both voiced the same fears of larger units of government, and both supported increased power at the local level.

The difference, in the in-depth interviews, between those who supported regional government and those who opposed it, was that the supporters had more confidence than the opponents that regional government would deal with the local problems adequately.

There was a general recognition among most respondents that some form of regionalism was inevitable. Many respondents, however, expressed the fear that regional government would be imposed regardless of peoples' wishes and without taking into account local conditions and needs as seen by the citizens.

Many respondents spoke of the need for

a period of transition; regionalism should not be imposed *a priori*, but should grow naturally out of the need for mutual cooperation and should be shaped by the forms of that need.

Respondents were enthusiastic about participating in group meetings to deal with the future of their communities, and many asked for more opportunities to participate.

Summary of Conclusions

We consider the citizens' distrust of the policies of the Provincial Government to be the most serious problem facing the Government in its planning for the Haldimand-Norfolk area. To date, the other efforts at forms of regionalism, particularly the county school boards, have not succeeded in establishing a positive rapport with the citizens. The county school boards and the central assessment offices give citizens the impression of being unresponsive and inaccessible to local needs and requests.

This distrust of Government is not generated by any particular political allegiance or ideology; the local MPP is highly regarded especially in Haldimand where anti-regionalism is strongest. Anti-regionalism is clearly linked to the growing loss of autonomy and authority of local government, and to the individual's growing sense he is losing control over his manner of life and community. The widening rift, feared by many citizens, between the individual and the Provincial Government seems to lie close to the respondents' complaints about undemocratic practice.

We believe that the constant complaints about higher costs and taxes in connection with regional government originate mainly in the citizen's belief that he is playing a smaller and smaller part in deciding how his money is to be spent; and his resentment at having the decisions made for him by inaccessible administrative staff and small, often remote, councils or boards.

We also believe that the respondents' complaints about regional government and their obvious concerns about it arise primarily from the manners and forms in which regional government has been developed and implemented elsewhere, and the degree to which it seems to discourage access and accessibility.

The basis for local government reorganization lies in the citizens' concerns for the problems of urbanization, industrialization and pollution, in their support for increased and improved inter-municipal cooperation to deal with these problems, and in their desire to retain their values.

Local government reorganization, including boundary changes, is more likely to be supported and accepted if it involves, and is seen to involve, a strengthening of grassroots participation in government, and the strengthening of effective local governance.

Traditional methods of citizen participation in government are inadequate by themselves and complementary methods of participation and involvement should be used.

Key considerations in the government reorganization must be accessibility and responsiveness. The critical question is not whether some form of "regional" government will be established: it will. The critical question is the process by which regional government is established and the degree to which citizens and their elected representatives are allowed to participate effectively in the design and decision-making process. *The process of developing and implementing regional government is at least as important as the final form of the government structure which is created.*

Recommendations

The Study, in its final Report, should give serious consideration to ways of strengthening the control of local communities over local matters. Forms of regional decentralization should be considered in which local areas are invested with effective authority which is clearly defined.

Particular attention should be given to two closely related matters: the relationship between local and regional government; and the relationship between the citizen and local government, and the citizen and regional government. The organization, policies and practices of all levels of government should be to encourage representativeness, responsiveness and accessibility.

In this respect, the relationship between the county boards of education and the citizens needs to be reviewed and improved. If the county boards of education are unable to establish effective consultation with and responsiveness to citizens, it is unlikely any larger and broader units of government will succeed; nor will their advent be welcomed by the citizens.

The success of any government reorganization depends ultimately upon public acceptance and confidence. These, in turn, are dependent to a significant degree upon the extent to which the public believes it has had a hand in planning, deciding upon and carrying out the reorganization.

The Haldimand-Norfolk Study in its Report should leave room for public participation on significant matters affecting the public. The Report might set out policy objectives and performance capabilities which have to be met. Within this context public participation could be most useful. It would bring detailed public knowledge to bear on local and regional matters; it would involve citizens in an effective and useful way in the future of their area; and it would lay the groundwork for continued public involvement at both the local and regional levels.

There should be sufficient time between the publication of the Report and the

legislation to enable local governments and citizens to become effectively involved in dealing with the issues raised in the Report. The deliberations of this participation process should be geared to criteria and schedules established by the Province to ensure that the necessary processes are completed within a proper time; otherwise the Province will carry on alone.

The Report should contain the basic structure by which this process of participation should be carried out. The details can be developed by the citizens themselves.

This structure should be capable of being used over the years as the backbone of public participation in local and regional matters. Clearly, because of the growth expected in the Study Area, the form of government will change in many respects over the years. The participation process should be designed to be capable of ensuring adequate and effective public participation in deciding on this change throughout the period of change.

There are several possible forms of participation. We suggest that whichever is selected, it encompass the following principles:

The process should be comprehensive and effective.

Each citizen should have an equitable opportunity to participate effectively in the planning and decision-making concerning those matters affecting him.

The participation process should be on-going, with a readily comprehensible structure and organization which is always accessible and responsive to the individual citizens.

A prime objective of the participation process should be to bring citizens in close and continuing contact with their elected representatives, appointed officials and planners.

The participation structure should be sufficiently flexible to accommodate changing circumstances.

The process must be so organized that time and costs can be controlled in order that the participation is in reasonable continuity with the planning and decision-making.

Whichever form of participation is selected, it is absolutely essential that the organization and process of participation be adequately funded; and that there be effective lines of communication and adequate flows of information from the individual citizen to the several levels of government and from the levels of government to the citizen. We hardly need add that the same admonition holds equally true among the various levels of government.

*Earl Berger Limited,
July, 1972.*

A. List of Submissions Received

From Citizens or Private Organizations

W. K. Bingleman, Charlotteville
D. Ciona and C. Huffman, Norfolk County
J. Collins, Simcoe
Mrs. R. Collins, Simcoe
W. C. Evans, Nanticoke
Douglas Foster, Delhi
Haldimand County Federation of Agriculture
S. Heeg, Jarvis
W. B. Jackson, Simcoe
G. Layne (Industrial Commissioner), Tillsonburg
Langton Women's Institute, Langton
Municipal Affairs Group, University Women's Club, Norfolk County
Mrs. M. Rogerson, Simcoe
G. Saunders, Caledonia
Steel Co. of Canada, Hamilton
R. K. Stephens, Port Dover
J. Tyrell (2), Simcoe
Waterford citizens' group chaired by Mayor Harry Scott
Wesley United Church Couples Club, Jarvis

From Municipalities and Local Boards and Commissions

Norfolk County – Municipalities

Township of Charlotteville
Town of Delhi – 2
Township of Houghton
County of Norfolk
Township of North Walsingham – 2
Town of Port Dover – 2
Village of Port Rowan
Town of Simcoe
Township of South Walsingham
Township of Townsend
Township of Windham – 2
Township of Woodhouse – 2

Norfolk County – Local Boards

Compec Norfolk Public Utilities
Delhi Public Utilities Commission
Township of North Walsingham, Committee of Adjustment

Township of North Walsingham, Planning Board
Simcoe Public Utilities Commission
Waterford Public Utilities Commission
Township of Windham, Library Board

Haldimand County – Municipalities

Town of Dunnville
Haldimand County
Village of Jarvis – 2
Township of Oneida
Township of Rainham
Township of Seneca – 2
Township of Walpole – 2

Haldimand County – Local Boards

Dunnville and District Planning Board (includes Canborough, Dunn, Dunnville, Moulton and Sherbrooke)
Trustees of Police Village of Fisherville
Trustees of Police Village of Selkirk

Note: Some briefs were submitted by a group of municipalities but are listed individually. This was done to show that all municipalities submitting briefs were included. Briefs were received until May 1, 1972. Some communications received before the February (1972) public meetings may have been omitted from the list.

As submissions were not written in standard form, some may not have been correctly interpreted.

A submission was received from the Oxford Area Local Government Study in July 1972. Although it is referred to in the text, the lateness of the submission unfortunately did not allow it to be given full consideration, and it is not included in the list of submissions received or in the analysis of submissions.

B. Analysis of Submissions

(i) Form of Government

	Regional Government			Status Quo
	Unitary	1-tier	2-tier	
Haldimand	1*		12*	3
Norfolk	3		21	1
Total	4*	0	33*	4

*These submissions suggested changes to be made at a later date.

(ii) Representation

Regional Chairman

a) Elected by and from membership of regional council – 4 briefs

b) Direct election at large – 1 brief

c) First Chairman to be appointed – 1 brief

Representation from local council to regional council – 9 briefs

range: 1,000 to 12,500 population per elected representative.

Ward system – 7 briefs

Five briefs recommended that the local council be elected by wards; one brief recommends a unitary system of government elected by wards; one brief recommends that local council *not* be elected by wards.

Number of members on local council – 12 briefs

range: 4 to 9

Four additional briefs make recommendations as to the number of council members according to population but give no definite number for local council.

(iii) Proposed Allocation of Responsibilities

Responsibilities	Briefs From Haldimand County			Briefs From Norfolk County		
	Local	Regional	Split	Local	Regional	Split
Administration						
— licensing	0	1	0	5	1	5
— collection of fines	1	0	0	2	0	0
Finance						
— tax billing	2	0	0	10	0	0
— finance & capital borrowing	0	3	0	0	9	0
— taxation	1	0	0	2	1	1
— assessment	0	2	0	0	5	0
Planning & Development						
— planning	0	5	3	5	6	4
— urban renewal	1	0	0	1	4	0
— com. of adjustment	0	0	0	2	0	0
— ind. promotion	0	1	0	0	4	0
Public Works & Utilities						
— drainage	1	0	0	7	0	4
— electricity	2	1	0	9	1	0
— sewer	1	2	3	6	3	6
— garbage collection	3	1	0	11	1	0
— garbage disposal	1	4	0	5	7	0
— water distribution	0	1	3	6	1	6
Traffic & Transportation						
— traffic control	0	1	1	9	0	1
— roads etc.	0	2	1	5	2	6
Public Protection						
— police	1	3	0	1	7	0
— fire	3	0	0	10	1	1
— EMO	0	0	0	0	3	0
Health Social Services & Housing						
— health & social services	0	5	0	0	8	0
— welfare	2	1	1	7	1	0
— housing	0	0	0	0	1	0
Recreation, Community Facilities & Conservation						
— parks	3	0	2	6	3	3
— rec. & com. centres	4	0	0	10	0	1
— libraries	1	0	1	2	0	4
— historic sites	0	1	0	0	1	0
— conservation	0	1	0	0	1	0
Miscellaneous						
— bldg. code	1	0	0	0	4	0
— bldg. permit	1	0	0	11	0	0

(iv) Boundaries

Boundary Changes

There was a total of 33 submissions containing suggestions for boundary changes. One of these contained three alternatives which were mapped separately, making a total of 35 suggestions or recommendations to be considered.

Outer county boundaries

Twenty submissions recommended the retention of the outer existing county boundaries, while an additional four questioned the validity of these but made no firm recommendations, and two proposed firm alterations.

Boundary between the two counties

Eleven submissions recommended the retention of the boundary between the two counties: six recommended a partial retention (for the northern part) and five recommended complete retention. Another eleven submissions recommended that the present boundary be eliminated completely.

Internal restructuring

Thirty-four recommended internal restructuring, as follows:

- i) six recommended restructuring within existing (or slightly modified) county boundaries;
- ii) seven recommended restructuring throughout the region as a whole;
- iii) twenty made recommendations for restructuring in their own area only (they made no suggestions about the remainder of the two counties);
- iv) one recommended that the existing boundaries of local municipalities be retained.

Regrouping

Several municipalities have expressed the desire to be grouped together to form one lower-tier unit. The most significant is the suggestion that the five western municipalities (Port Rowan, North and South Walsingham, Houghton and Middleton) be combined to form an area municipality within a regional framework. All five municipalities support this recommendation (the one from Port Rowan recommended that Turkey Point also be

included). A total of eight briefs supported union of the five municipalities. One brief suggested that Houghton be detached from a Haldimand-Norfolk area and added to Elgin County; another recommended *no* alteration of any of the existing boundaries within Norfolk County. This latter position is not supported by any other Norfolk brief. The municipalities of Delhi, Windham and Charlotteville also wish to be grouped together.

Nanticoke area

Several suggestions were submitted for the area around the Nanticoke development. Ten submissions recommended that area form one of the lower-tier units of local government. Five submissions strongly recommended that the Haldimand-Norfolk line be retained as it exists, but many others drew new boundaries around this area. The smallest suggested area included Port Dover, Jarvis, Woodhouse and Walpole, while the largest extended to the northern county boundaries and eastward to include all of Rainham. Other recommendations cover various areas between these two.

Simcoe area

Recommendations for Simcoe varied considerably. One submission strongly recommended that Simcoe and Delhi be in one area and another suggested a greatly enlarged town extending south to Lake Erie. A third recommended that Simcoe be extended from the Lake to the northern limits of the county while yet another proposed an enlarged town but not to the extent previously mentioned.



**MUNICIPAL BOUNDARIES
RECOMMENDED FOR
HALDIMAND NORFOLK**

